Crime—1936

Alabama

SPRINGFIELD, MASS.
EVENING UNION

FEB 3 1936

Story of Horror

Few news stories of recent date have equaled in horror that coming from Scottsboro describing how twenty Negro convicts were burned to death and two others seriously burned while being transported in a truck that had been converted into a cage by steel mesh wire. Two containers in which gasoline was stored were inside the cage. One account asserts that because of the cold the prisoners had been allowed to have a pail of live coals around which they could crouch for warmth. Another says one of the prisoners lighted a piece of newspaper so as to catch a glow of warmth. Whatever the cause, the gasoline slopped out of the containers because of the roughness of the road, became inflamed and cooked the twenty unfortunates alive. The other two escaped when guards unlocked the rear door and pulled them out of the inferno.

Chain-gang moving pictures showing how prisoners are sometimes treated in the Deep South were common a few years ago. They aroused resentment below Mason and Dixon's line. It was proved in court not long ago, however, that a Negro convict lost both feet because he had been chained standing all night in freezing weather. At that trial it was testified that a guard had said, "A Nigger ain't more than half human anyhow." Which may explain some of the treatment accorded colored prisoners in the South.

To lock twenty-two men in a motor truck which was little more than a movable steel cage is inhuman, from any standpoint. If such a truck were to be involved in an accident and overturn it would be likely to burst into flames instantly, once the gasoline tank were to be broken or the cap torn off. To transfer these convicts in an open truck with the temperature only three degrees above zero savored of cruelty, to say the least. To lock cans of gasoline in with twenty-two men was dangerous of course. Moreover the only door of the cage was at the rear — while the only key was in the pocket of a guard who sat in a protected cab at the front, unable to see the prisoners and unable to hear them until they began to shriek as the flames licked at their flesh.

The South cannot expect its Negroes to become chivalrous, cultured and refined gentlemen so long as it denies many of them opportunities for an education, and sometimes treats black convicts worse than most captive animals are treated.

ALBANY, N. Y.
NEWS

FEB 4 1936

It Happened in Scottsboro

THE penal methods of the Deep South have again been distressingly demonstrated by the burning to death of 20 unfortunate Negro convicts, being transported in one of the devices so dear to the official heart in the South—a prison cage.

With a recklessness which is hard to understand, the two guards attached to the cage-truck placed a drum of gasoline, which must have been leaky or open, in the cage with the convicts, and then in an access of humane feeling let the Negroes have a fire in a metal bucket to warm them during the ride.

Hitting a bump in the road the gasoline drum, dispatches say, overturned and within a minute the interior of the cage was an inferno. The shrieks of the imprisoned and burning Negroes apprised the guards that something was wrong and they succeeded in unlocking the cage. It was too late. No lives remained to be saved.

Leaving entirely aside the criminal recklessness of the guards in placing fire and gasoline in such close proximity, the fact remains that the locked cage was the true death trap. Had the Negroes not been so penned up, even had they been leg-ironed, they could have jumped out.

For years the traveling cage, used to transport working convicts in many Southern states, has been one of the disgraces of American civilization. Its very use tends to reduce men to the condition of beasts.

It is barely possible that the pitiable tragedy of those 20 caged Negroes will rouse the conscience of the nation to a protest against the whole Southern penal system sufficiently loud to force reforms. If so they will not have died in vain.

Most appropriately the horror occurred a few miles from Scottsboro, Ala. That's where they have been trying nine Negro boys for the last four years for a crime they never committed.

EAST ST. LOUIS, ILL.
JOURNAL

FEB 2 1936

Another Scottsboro Case.

Alabamans have resented interest of Northerners in the Scottsboro case involving the fate of nine Negroes charged with a mass assault on two white women. The Scottsboro case has been tried and retried and the condemned men have been defended by legal talent from New York. There are many angles to the case, but one reason for a series of convictions may be the disposition of Alabamans to show their dislike for interference by interests outside the state.

Now Alabama is again in the news and again the dateline is Scottsboro. Twenty Negro convicts were burned to death when trapped in a truck used for the transport of prisoners from penitentiary to the highway project on which they worked under guard. Only two of a human cargo of 22 escaped with their lives from the flames fed by a drum of gasoline which overturned as the truck jolted along the road.

But while Alabama is under condemnation for brutality to prison inmates, Illinois goes about the investigation of serious charges that convicts are pampered and granted privileges hardly afforded by those outside prison walls.

TIME
CHICAGO, ILL.

FEB 10 1936

RACES

Blacks Aflame

It was a roaring cold morning in Scottsboro, Ala. when a truck full of "bad niggers" snorted through the streets and slithered out on an icy road north from town. Scottsboro whites knew they were "bad niggers" because heavy steel mesh sheathed the sides of the truck and its back door was locked. "Good nigger" convicts going out to work the roads ride in ordinary trucks, not cages.

Inside the truck, as it jolted out of town, 22 shivering blackamoors convicted of burglary, manslaughter and assorted felonies lurched and jounced on their benches. As the truck careened, a five-gallon can of gasoline and a big drum just inside the rear door gurgled, churned and occasionally slopped over. Rivulets of gasoline made crazy patterns over the pitching floor. But the cold was worse than the jouncing. Finally a big black buck named Henry pulled a piece of paper from his pocket, held a match to it, dropped it on the floor, holding out his pale palms to warm them over the flames.

For years Negroes in the South have with impunity poured kerosene into their stoves to make wood fires burn brighter. The 22 "bad niggers" were not particularly alarmed when the rivulets on the truck floor took fire from the burning paper. But this was not kerosene but gasoline. A lacework of flames raced across the truck floor. Several men stamped their feet in the burning trickles. Then suddenly the five-gallon can went up in flames. Twenty-two "bad niggers" rushed to the front of the truck, began to howler.

The jouncing cage came to a halt. There were running steps outside, a jingle of keys, a clang as the rear doors were opened. "Jump out, you fools! Jump!" cried a voice. The whites of 44 eyes shone in the fire glare as they looked back into a solid wall of flames. Two dark figures staggered back, lurched through the door, fell on the road outside, afire from head to foot. Two white guards rolled them into the snow-filled ditch to put them out. Then the drum of gasoline went up. . . . When a prison official arrived on the scene, he wired the State Prison at Kilby to ship 20 coffins to Scottsboro.

New Orleans, La., Times-Picayune
February 3, 1936

'All But Unbelievable

TWENTY negro convicts, caged in a prison transfer truck, were burned to death last Friday by flames that suddenly swept their rolling jail before its door could be unlocked. Fate staged this gruesome holocaust near Scottsboro, Ala. Because of the notoriety given that community and state by the case of the "Scottsboro boys," this all but unbelievable tragedy not only shocks the nation but prompts sinister suspicions which can only be allayed, if at all, by the most searching investigation.

Before it happened, few Americans would have believed such a thing could happen. Along with its human freight, we read, the truck cage carried a drum of gasoline. The day selected for transfer of the convicts was bitterly cold. One of them, according to report, lighted a piece of paper to warm his hands. The road was icy and the truck, lurching from side to side, caused the gasoline drum to leak or "slosh over," spilling its con-

tents over the cage floor. The open flame from the lighted match or paper ignited the spilled gasoline and on the instant the cage became a raging inferno. The driver and guard protest that they did their best to release the prisoners, but could save only two and were themselves more or less severely burned in the attempt.

Their story will be tested in every way possible, we are sure. But at the best the evidence of criminal stupidity and carelessness cannot be refuted. Transfer of convicts in a locked and gasoline-laden prison cage would be stupid and dangerous under the most favorable conditions. The prison system which permits such a thing demands reproof and thorough-going correction. Alabama cannot free itself entirely from reproach, but its offiicals can do the next best thing, by taking swift measures—prevent any repetition of this almost incredible tragedy through correction of the conditions which made it possible.

HIGH POINT, N. C.
ENTERPRISE

FEB 1 1936

SHAME AGAIN AT SCOTTSBORO

THE state of Alabama rather than any one or two individuals stands charged today with the deaths of twenty Negroes in a flaming gasoline infested truck. Frantic efforts on the part of the two white men accompanying the convicts are worthy of commendation but their delayed action was of little avail. The two convicts which the white guards succeeded in pulling from the fire can not survive and may be dead by the time this is in print.

Accounts of the disaster near Scottsboro, Alabama, indicate that the convicts were being transferred from an encampment to a rock crusher on the highway when the tragedy occurred. They had been caged in a transfer truck similar in some respects to those used by circuses to parade wild animals. Because of the intense cold the convicts had been permitted to place a fire in a can inside the truck. Gasoline in a drum was also aboard. The result was an inferno.

Guards over convicts are a hard boiled lot all too often given to too little thinking. But they are not wholly to blame for their attitude. They deal with a hard lot who will rebel if given the opportunity. Therefore, guards make alertness their watchword and couple this with harshness. It is not to be expected that they are unduly concerned about the lot of a group of prisoners.

But prisoners, white or black, are human beings. The same fate would have overtaken twenty white convicts just as well. It is doubtful if the highways of Alabama or any other state justify human labor working on them and at highway crushers in such weather as has gripped the nation during the past few weeks. Even convict labor is entitled to some consideration and is most certainly worthy of ordinary protection against hazards.

SPRINGFIELD, O.
SUN

FEB 3 1936

A TRAGEDY

The death of 20 or more Negro convicts reported from Alabama is a tragedy of a ghastly as well as an unusual sort.

Carelessness, which plays a part in almost all accidents, was plainly to blame.

The carelessness was of a type which is common enough in this country but it is seldom that the conditions are such that so many fatalities result.

In the transfer cage in which the convicts were being transported there was, according to the reports, a drum of gasoline and an open fire. The weather was cold and somebody in authority permitted the prisoners to start a fire in a can. It would have something of the effect of a small stove. At any rate they could warm their hands and feet at it. Whoever gave this permission gave it as a matter of kindness, but it was a careless thing to do if the person in authority knew about the gasoline. If he did not, others did.

There is some conflict of opinion as to just what happened. Some believe that some roughness in the road caused the gasoline to spill. Some think that one of the men lighted a match near the gasoline drum.

All this indicates merely that there is some uncertainty as to just who was responsible and just what form the carelessness took. The carelessness may be properly labeled, however. It takes scores if not hundreds of lives every year and it may be called gasoline and fire carelessness. It is a form of carelessness of which the careless person is usually the first victim and sometimes the only one. In this case, the blameworthy person may have escaped, and the number of those who suffered was exceptionally large.

Birmingham Age-Herald
February 6, 1936

TRAGEDY THROUGH NEGLIGENCE

The burning to death of twenty negro convicts in a truck near Scottsboro last week was more than a regretable accident. The evidence goes to show that it was a tragedy due to some neglect. To herd a company of convicts into a barred and locked truck containing an inflammable substance like gasoline was an act of thoughtlessness due to indifference and neglect of the safety and welfare of the prisoners. We believe the Birmingham Age-Herald is right in saying, "When a person is convicted and sent to serve a prison sentence, the state becomes responsible for that person's life." This responsibility ought to be recognized by the convict department and regulations enforced accordingly. Governor Bibb Graves is to be commended for ordering a thorough investigation. If such acts of carelessness and indifference to the lives of prisoners are a matter of common practice, the fact should be known and definite steps should be taken to remedy such a situation. Human lives, even of convicts, are not to be treated with indifference. The correction of any abuses in the handling of prisoners should be one result from the Governor's investigation.

Negro Surrenders On Murder Charges Here

Lewis Mitchell, 17-year-old negro wanted for the murder of Colorado Bailey, which occurred Sunday near Maimie, yesterday gave himself up to E. N. Wright, county road foreman, who witnessed the shooting.

Wright said that when Bailey struck another negro several times on the back, Mitchell fled toward his home and returned with a shotgun. As Bailey was entering his home Mitchell ran up to him and threatened him. Bailey apparently did not take the threat seriously as he made no move to defend himself. Mitchell then fired the charge into the breast of Bailey.

Mitchell said that he had served a term in a reform school following several attempts to run away from home.

He was placed in the county jail and charged with murder.

Birmingham, Ala. News
March 7, 1936

NEGRO GETS 10 YEARS

Richard Gee Gives Notice Of Appeal In Damage Suit Case

Richard Gee, Chicago Negro, was sentenced to serve five to 10 years in the penitentiary Saturday by Judge Wheeler, following Gee's conviction several days ago by a jury in his court on a false pretense charge preferred in connection with reported fake damage suit operations.

Notice of appeal was given by Gee's attorneys, John Carlton and Robert Proctor, and Judge Wheeler fixed the appeal bond at $5,000.

Gee, who was prosecuted by Solicitor Bailes and Assistant Solicitor Tate, was the first of six defendants to be placed on trial in connection with operations of a reported "fake damage suit racketeering ring in Birmingham. There are 13 other charges pending against him in connection with the filing of bogus claims.

Gee was convicted of a charge of collecting a $75 claim from Home Baking Company by falsely pretending roaches were found in a piece of cake purchased from the concern. Enda Sands, Mabel Harris and Elmore Cleveland, indicted jointly with Gee, all turned state's evidence and testified that Gee placed the roaches in the cake.

Cases of five other Negro defendants in the "fake damage suit" charges are expected to be tried soon in Criminal Court.

Crime-1936

Alabama

Clamp Censorship Lid On Prison Truck Fire Claiming Twenty Lives

By ALBERT L. HINTON
Journal and Guide City Editor

SCOTTSBORO, Ala.—This little northern Alabama town of less than 2,500 inhabitants, whose very name has become an anathema throughout the civilized world because of its connection with the infamous Scottsboro cases, found itself last week again in the spotlight of the world's news.

Within a mile and a half of Scottsboro on Friday twenty Negro convicts were trapped like rats in a steel meshed cage on a prison truck and burned to death, while two more were so seriously burned they are not thought expected to live. The prisoners became victims of an unprecedented holocaust the origin of which was blamed on gasoline.

The irony of the whole situation was seen in the fact that the men were wards of the soverign state of Alabama, the same commonwealth which several years ago placed upon its statute books a law forbidding the transportation of gasoline or other inflammable materials or explosives on vehicles transporting human beings.

CENSORSHIP SET UP

To add to the deplorable situation, a strict official censorship was clamped down on all news growing out of the tragedy. An official board of inquiry which convened late Friday on orders of Governor Bibb Graves, adjourned late Saturday evening with the announcement that its findings would remain a deep dark secret except upon orders of Governor Graves.

So cautious were prison officials and others connected officially with the tragedy, that the truck with its gruesome remains of what had but a short while before been laughing, joking men, was removed from the scene in less than an hour after the first screams of the trapped victims suddenly rent the crisp January air of the open highway. Indeed, newspapermen and curiosity seekers who, upon receipt of news of the tragedy, flocked to Scottsboro, saw only two large pools of blackened blood on the right side of the highway when they reached the scene.

NEWS FACTS DIFFICULT

Legitimate news coverage had to be confined to sketchy versions about the origin of the fire and the part played by them, as given by H. M. Middlebrook and C. O. Wasson, the two guards in charge of the truck, who said they were successful in saving Paul Dawson and John Stokes, the two convicts who are lying at the point of death at the prison camp hospital near here.

LIST OF DEAD

The official list of the dead as released by prison officials is as follows:

Robert Hereford, Morgan Co., serving a year and a day to a year and six months for grand larceny.

Nelson Jackson, Morgan County serving two years to two years and six months for assault with attempt to murder.

Howard Garth, Morgan County serving two years to two years and six months for arson, second degree.

John Wesley Jackson, sentenced from Jefferson County for grand larceny from two to three years.

Jasper Hurd, Morgan County, three to four years for assault with intent to murder.

Dave Johnson, Jefferson County, first degree manslaughter, from three years and five months to five years.

Lewis Jenkins, Jefferson County, burglary, five to six years.

Henry Lewis, Jefferson County, burglary, two to three years.

Warren Russell, Jefferson County, burglary, seven to eight years.

Virgil Willis, Jefferson County, second degree murder, ten years.

John Ford, Jefferson County, burglary, three to five years.

Edward Gross, Jefferson County, burglary, three to five years.

Shelly Jones, Lauderdale County, burglary, two to two and a half years.

Jesse Lawrence, Pickens County, grand larceny, three to five years.

Teal MacRae, Bullock County, burglary, three and one-half years.

Lester Patterson, Barbour County, burglary, three to three and one half years.

Andrew Whitlow, Lee County, burglary, three to four years.

Robert Williams, Macon County, burglary and grand larceny, four to five years.

James Alexander, Dallas County, first degree manslaughter, seven years and eight months to twelve years.

Josh Boykin, Mobile County, robbery, ten years.

First reports that the unfortunate convict-inmates of Camp C were shackled in addition to being locked in the truck cage, have been found to be untrue.

DECATUR, Ala.—Four of the twenty Alabama state penitentiary convicts burned to death in a prison transfer truck near Scottsboro, scene of the original "Scottsboro" trials, Friday morning when a drum of gasoline exploded, were from Morgan County, inquiry at the office of the clerk of Morgan County Circuit Court reveals.

The unfortunate victims from Morgan County were Jasper Herd, alias Jasper Hurd, Jr., who was serving a sentence of not less than two years, and not more than four years imposed when he entered a plea of guilty to a charge of assault with intent to murder in Morgan County Circuit Court on October 24, 1935; Robert Hereford, serving a sentence for grand larceny not less than a year and a day and not more than a year, six months, and a day, who was sentenced October 23, 1935 when he entered a plea of guilty.

The other two inmates from Morgan County were: Nelson Jackson, sentenced October 24, 1935, to not less than two years nor more than two years and six months for assault with intent to murder; and Howard Garth, who was serving a similar sentence for arson, second degree, which was meted out on the same date. Both of the latter entered pleas of guilty.

SHOCKED SYMPATHY

Residents of Decatur, just approximately 90 miles south of the scene of the tragedy which shocked the entire state and brought forth condemnation of the methods used to transport the convicts and the carelessness of the guards in charge who permitted gasoline to be stored in a conveyance used to transport human beings, were loud in their expressions of sympathy. A few of the dead convicts were known here.

In some quarters the opinion was expressed that the fact that the accident occurred in or near Scottsboro, and followed fast upon the heels of the tragedy near Cullman, Alabama, which resulted in Ozie Powell, one of the nine Scottsboro defendants, being shot in the head and a deputy sheriff's throat being slashed, was more than mere coincidence.

These views, however, only serve to demonstrate more adequately the state of mind of most of the city's residents in reference to the Scottsboro cases in general.

There is no doubt that Decatur would just as soon be rid of the whole affair, and Attorney Samuel Leibowitz's statement in New York that he will seek a change of venue to Birmingham in Jefferson County because he believes that is the only place in the whole state of Alabama in which the Scottsboro defendants can obtain "even a semblance of a fair trial," will suit Decatur to a "T."

MIAMI, FLA.
HERALD

FEB 1 1936

IN TODAY'S NEWS

AND sudden death. It strikes in so many places, in so many forms. Because somebody erred. Scottsboro, Ala., has starred for several years as result of trials of alleged negro assaulters. Now it grabs the headlines with a horrible tale of wholesale destruction of negroes due to their own folly. Locked within a prison truck, 22 convicts were being taken to a highway project. To keep warm they started a little fire. It ignited a drum of gasoline, explosion, and 20 were burned to a crisp. Two white guards on front seat leaped to ground, rushed to rear, threw open door, urged the men to jump. Only two could and they were badly burned. Those black boys won't suffer from the cold "no more;" nor bother the white folks with their depredations. They suffered the capital penalty without any chance of appeal.

Washington, D. C. Post
February 2, 1936

More Scottsboro News.

As if Scottsboro had not already received more than enough notoriety, that Alabama town is now the scene of a holocaust in which 20 Negro convicts were burned to death in a padlocked prison truck. The ghastly accident, following the line taken at the Macon gathering last week, will further increase racial tensions. It is also likely further to complicate the problem of the courts regarding the eight "Scottsboro boys" whose cases were recently prejudiced in another way when one of them became involved in a knife and pistol scuffle with a guard.

The carelessness which put 20 men and a quantity of gasoline together in a barred cage was criminal, and emphasizes the indifference with which colored convicts are regarded in some areas of the South. From time to time a particularly blatant example, such as the Scottsboro cremation, will stir public outcry, but the indignation soon dies.

If Alabama justice is as concerned for the honor of the South as its arguments against the Scottsboro defendants would seem to indicate, no time will be lost in fixing the blame for the hideous death which has overtaken a score of helpless prisoners.

Raleigh, N. C. Observer
February 1, 1936

Scottsboro, Alabama

Scottsboro, Ala., Jan. 31.—A state convict transfer truck was converted into a flaming death trap for 20 Negro prisoners today as one of them tried to warm his hands over a piece of paper and set fire to a drum of gasoline.

Note carefully the dateline on that story. Scottsboro, Alabama.

Perhaps liberals lied when they charged the blackest sort of prejudice in the repeated trials of the world-famed Scottsboro cases.

Perhaps it was only outside interference that has been responsible for the stories of force and bitterness that have come out from this town.

Perhaps these 20 cremated Negro convicts were the victims of "unavoidable accident."

Perhaps Scottsboro, Alabama, is merely dogged with the worst of bad luck.

Birmingham, Ala. News
February 3, 1936

Alabama Viewed From Baltimore

The day following the unhappy episode north of Birmingham in which one of the Scottsboro Negroes attempted to escape, *The Baltimore Evening Sun* printed an editorial called "Poor Alabama."

Now that another dreadful calamity — in no way connected with the Scottsboro case — has befallen this state with the loss of the lives of 20 convicts, *The News* is prompted to reprint for its readers the editorial from *The Evening Sun*. It follows:

At this distance, all one can say confidently of the latest news story from Birmingham is that Alabama is ruined again.

To anyone who knows the South, there is a good deal of plausibility in the story told by Sheriff Sandlin of the shooting of Ozie Powell, one of the defendants in the Scottsboro case. According to the sheriff, two Negroes, Powell and Roy Wright, attacked two officers in an attempt to escape and Powell cut Deputy Sheriff Blalock across the throat, whereupon Sandlin shot him down.

The story may be true. At any rate, Blalock has a slash in the throat. But, true or not, it isn't going to be believed. Too much passion and prejudice have been aroused by the Scottsboro case to permit, henceforth, any cool, objective examination of anything connected with it. If an archangel came down from heaven and swore to the truth of Sandlin's story, there are people who would still believe that the affair was an attempt to murder Powell; and to date there are no archangels in sight.

Obviously, Alabama should henceforth guard this Negro as if he were her most precious possession; but that will do no more than prevent further damage to her reputation. It will not restore the loss she suffered when the shot was fired. The United States Supreme Court twice has branded Alabama trial courts unfair, and once that is done anything will be believed about the luckless state.

Although there is no scandal attached to the frightful accident that occurred in a prison truck last Friday, many persons in other states will again be prone to blame "Poor Alabama" for an occurrence which might have happened anywhere in the world.

Ocala, Fla., Banner
February 2, 1936

GROSS CARELESSNESS

Twenty negro convicts being transported in a cage wagon or transfer truck were burned to death when a drum of gasoline inside the metal cage in which the convicts were locked caught fire. By mere coincidence the tragedy happened near Scottsboro, Ala., scene of the trial of several young negroes for assault on two white women.

The state of Alabama has instituted an investigation of the incineration which appeas on its face to have been the result of gross carelessness. Without a doubt, there could not possibly be any excuse for hauling gasoline in a locked compartment with any living beings, human or animal. That in itself was brutal disregard for human life.

When will people learn that gasoline is a dangerous explosive and should always be handled as such under any circumstances? The oil companies have long since learned to take no chances with their deadly product but due to its common usage people are prone to be careless with gasoline.

To put gasoline in any form or container into a locked cell with human beings is unpardonable, and the state which employs overseers and guards who know no better or are so careless is seriously at fault.

Of couse, it might and probably will be said that racial ill will created by the Scottsboro case was partly responsible for this careless treatment of negro convicts, although this could hardly be true. Nevertheless, the state of Alabama or the department having charge of the convicts will be severely criticized and rightly so for its carelessness and not from the standpoint of any racial discord, however.

GREENSBORO, N. C.
NEWS

FEB 2 1936

ADD: SCOTTSBORANA.

Along with the horror and the stark tragedy of the burning to death of 20 negro convicts trapped in a steel transfer cage is the unfortunate circumstance that the holocaust was reported under a Scottsboro, Ala., date line.

To a great mass of the American and perhaps world, citizenry Scottsboro, because of the well known case involving a group of alleged negro attackers, has become the by-word for racial feeling, prejudice and involved southern justice.

That Alabamans, press and citizenry, have been quick to deny charges and defend their state, section and system from attackers, centering their fire in a counter-attack upon meddlesome, radical and ill-advised outsiders, matters not in the light of what has transpired and the feeling which it has generated.

An additional commentary, adding to the mystery, fanning the flame and unleashing criticism anew, was written only a few days ago when one of the Scottsboro defendants, among the group being transported to Birmingham, was shot and seriously wounded by a deputy sheriff. The official statement that he attacked his guard with a pocketknife has been, especially in view of muddled or missing details, anything but satisfactory not merely to those looking for agitation and furtherance of particularist causes but to the sound-thinking citizenry interested primarily in justice.

On top of these events has come Friday's tragedy. Twenty-two negroes, 20 of whom were burned to death with the remaining two expected to succumb to their burns if they have not done so by the time this appears in print, locked in a steel incased truck with a 30-gallon drum of gasoline! While other factors may be and have been denied, officialdom cannot discount the freezing weather—five above zero it was in Alabama—and the slippery condition of the highways which foretold the probability of an overturned drum or a sloshing of its inflammable contents. Yet in the face of these manifest dangers, nobody stopped the negroes from making a fire in their steel prison; an early report, not followed up in later dispatches, related how they had been "permitted" to place "a bucket of fire" in the truck to keep themselves warm.

While the tragedy may be dismissed as another one of those "unavoidable accidents" about which we hear so much these days, it will take vastly more than any such official whitewashing to remove the aggravated stain upon Scottsboro and the system, of which handling negro prisoners is a corollary if not a part, on trial there for these how-many years now. Additional evidence on the evaluation of a black life is submitted in all the starkness of 20 charred victims.

Montgomery, Ala., Advertiser
May 29, 1936

LOWNDES NEGRO'S CASE IS REVERSED

Richard Goldsmith's Sentence Of 30 Years Too Much, Court Holds

Holding that the evidence for the State, conceding that the defendant fired the fatal shot, "at best" showed no more than first degree manslaughter—the Alabama Supreme Court in opinion by Chief Justice John C. Anderson, yesterday reversed judgment of the Lowndes Circuit Court and remanded for a new trial, the case of Richard Goldsmith, negro, convicted of murder in the second degree and sentenced to imprisonment for 30 years in connection with the killing of Guy Sellers, white Lowndes County farmer.

The shooting and fatal wounding of Sellers, occurred on Christmas Eve night, 1934, when he and two other white men went to the home of Georgia Jakes, aged negro woman, allegedly to get some whisky; but this was denied by defense witnesses. When they entered the premises the woman, Georgia Jakes screamed for help. Goldsmith, her kinsman who lived nearby, responded, and the fatal shooting followed. There was evidence tending to show that another negro man who shortly before had accompanied the woman's granddaughter to the house, was hidden behind a door and fired the shot that fatally wounded Sellers. Following the shooting Goldsmith voluntarily surrendered himself to Lowndes County authorities.

In his opinion, Chief Justice Anderson said:

"This record discloses the most reprehensible conduct on the part of the deceased and his companions, the State's two witnesses, who invaded the sanctity of the home of a helpless old negro woman, terrorizing the inmates, and for the evident purpose of prostituting her granddaughter or for some other improper purpose. The defendant was not only a close neighbor but the uncle of the granddaughter and, after hearing the disturbance, was actuated by the most humane instincts to go to the rescue, and though he may not have acted strictly in self defense from a technical standpoint, conceding that he fired the fatal shot, we do not think that his conduct rose to the degree of murder or merited the punishment fixed by the jury.

"Had all these parties been of the same race, or if conditions had had reversed, we feel sure that there would have been a different verdict and that the present one was actuated by passion or race prejudice; not perhaps from corrupt motives, but from an inborn and uncontrollable antagonism between the two races, when a negro kills a white man or when a white man kills a negro —an antagonism which seldom exists in the administration of justice by the strong to the weak for the commission of most offenses.

"We, therefore, hold that the trial court erred in not granting the motion for a new trial upon the idea that the defendant was, at most, guilty of nothing but manslaughter in the first degree and that his punishment was, therefore, excessive and unjust." The opinion and rulings were concurred in by Justices Lucien D. Gardner, Virgil Bouldin and A. B. Foster.

Crime - 1936

Alabama

LARAMIE, WYO.
REPUBLICAN BOOMERANG

FEB 1 1936

Primitive Penology

Two news stories this week have emphasized the medieval nature of American penology. In Joliet, Ill., the perpetrator of a particularly fiendish crime of more than a decade ago was slashed to death by a razor in the hands of a pathological fellow-inmate. At Scottsboro, Ala., 20 Negro convicts, shackled in one of the wheeled hells which are the shame of the south, were cremated when a drum of gasoline was somehow ignited.

The murder of Richard Loeb has not yet been explained to the satisfaction of the authorities. But the investigation has afforded a shocked public a glimpse of conditions existing behind prison walls. It is an ugly story. The Republican-Boomerang has spared its readers most of the details. But every student of penology knows that what happened in Joliet happens to some extent in every prison — is, perhaps, an inevitable result of prison methods.

The Scottsboro horror is only another episode in the story that was first given wide publicity in "I Am a Fugitive from a Georgia Chain Gang." Southern states still make a cozy profit out of their helpless hostages by hiring out their labor to private contractors. They still fill out the supply of slave labor, if necessary, by rounding up vagrants on trumped-up charges. They still permit prisoners to be subjected to near-starvation and hideous brutality which make any sentence of more than a few years the equivalent of slow death by torture.

We would have a better right to condemn forced labor in Russia and the Nazi concentration camps in Germany if we first cleaned house at home.

LA CROSSE, WIS.
TRIBUNE

FEB 3 1936

Twenty Men Incinerated

THAT was a horrifying story that came up from Alabama Friday regarding the burning to death of twenty negro convicts. It again calls to attention the vast difference between the north and most of the south in the manner of handling those who have been sent to prisons. And the comparison is all in favor of the north.

The men who were burned to death without a chance of escape were being transported from one prison camp to another and were locked in what is described as a cage on wheels. The barred cage is said to have had seats for the convicts, while fire was maintained in a bucket for the purpose of keeping them warm. The strange part is that in this same cage was a drum of gasoline which is supposed to have sloshed out onto the floor, thus causing the blaze.

In a flash the cell was a raging inferno. The driver and guard rushed back, unlocked the door, and succeeded in dragging two of the miserable men out. The others quickly perished.

Prison officials in most southern states make it pretty tough for convicts. It is said that many of these are very difficult to handle and this may be true, but it will be recalled that a few years ago a man serving a term on a Louisiana prison farm preferred a life term in Nebraska to serving out the remainder of his time on the farm.

In the southern states most of the road work is done by convicts, some of them wearing leg chains, while others wear balls and chains. Then there are the prison farms, on some of which it is asserted brutality is frequently practiced by those in charge. There may be bad men among these convicts, but modern prison methods call for handling such unruly ones in ways other than they are handled in the south. If it is thought proper to haul men over the country, caged like jungle beasts, they should at least be safeguarded from danger of being burned alive.

CAMDEN, N. J.
COURIER

Post

FEB 4 1936

TWENTY OUT OF TWENTY THOUSAN..

The truck fire that burned twenty caged Negro prisoners to death in Alabama merely hastened a process of extermination that was already under way.

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Worked ten to twelve hours a day on the roads in all weather, transported in steel cages mounted on trucks, made to sleep in the same cages on the roadside, denied most common necessities of life, subjected to brutal punishments at the whim of guards, a large proportion of Southern convict labor is under virtual sentence of death today.

The shocking feature of the new Scottsboro story (this, too, is a Scottsboro incident) is not that twenty convicts were roasted alive, but that it takes such an event to draw attention to the day-by-day plight of these prisoners.

There will undoubtedly be an investigation. There are investigations of Southern convict labor every two or three years. The investigations, whether ordered in Alabama, or Georgia, or the Carolinas, end in whitewash—and the chain gangs and prison camps continue as before.

The first official statement by Alabama authorities is that the convicts were all "bad men." The officials didn't add "anyway," but the tone implied it. This was followed by immediate action by Governor Bibb Graves.

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Alabama

Crime - 1936

LARAMIE, WYO.
REPUBLICAN BOOMERANG

FEB 1 1936

Primitive Penology

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SEATTLE, WASH.
TIMES
FEB 1 1936

SCOTTSBORO AGAIN

CREMATION of twenty Negro convicts, trapped in a burning transport cage from which the guards could not release them, again brings Scottsboro, Ala., to public attention in a most revolting light. The case of the nine Negroes known as the "Scottsboro boys," which has been running in the courts and in the news for several years, has caused nation-wide disgust with the dispensation of justice in that part of the country; and now this frightful fate of the needlessly caged convicts brings further evidence of race prejudice and mistreatment of persons whose rights of free citizenship are supposed to be secure in law.

Lafayette, Ala., Sun
February 3, 1936

Twenty negro convicts being hauled in a prison truck were burned to death near Scottsboro when one of them lighted a paper to warm his hands and accidentally ignited a drum of gasoline. The flames spread so rapidly that guards were able to rescue only two of the twenty-two prisoners. Following a similar tragedy a few years past the convict department passed a rule governing the transportation of other cargo along with convicts. Suely something should be done to prevent such tragedies.

OAKLAND, CAL.
POST ENQUIRER

FEB 1 1936

In Scottsboro

Queer things happen in Scottsboro, Alabama.

For years there has been a persistent attempt there to railroad eight Negro boys to death for an alleged attack on two girls stealing a ride on a freight train.

One of the girls says the Negroes are innocent, the United States supreme court has intervened repeatedly to save them, but still the attempt to kill them goes on.

Yesterday, in Scottsboro, 20 Negro chain gang prisoners were herded into a cage on wheels, with a can of gasoline, which exploded, turning them into human torches.

Life seems to be cheap in Scottsboro, even cheaper than in China, although Scottsboro is in the civilized U. S. A., which is another queer thing about it.

LEWISTON, IDAHO
MORNING TRIBUNE
FEB 3 1936

Scottsboro Tragedy

The cremation of 20 negro convicts behind the locked doors of a motorized cage near Scottsboro cannot be lightly dismissed as another unavoidable accident and will not enhance Alabama's reputation as a state where the life of a black man is lightly regarded. The obligation is strong on prison management to assure the satisfactory physical protection of the men compelled to labor in state employment.

There have been many other deaths in the United States in civil life under somewhat similar conditions of highway danger. In civil life, however, man makes his own choice. He may risk his life and he may pay the penalty. The convict has no freedom of decision. He is sentenced to hard labor. He is herded out to the prison camps in iron cages and he must work. If he dies under those conditions the state is responsible.

No one can justly charge that the new Scottsboro tragedy was anticipated. Yet the inference of the known facts is that every precaution was not taken to prevent it. Twenty negroes were cremated in an iron cage before the two white attendants operating the truck could open the doors. The deaths speak for themselves.

UTICA, N. Y.
PRESS

FEB 5 1936

IT HAPPENED IN SCOTTSBORO

The penal methods of the Deep South have again been distressingly demonstrated by the burning to death of 20 unfortunate Negro convicts, being transported in one of the devices so dear to the official heart in the South—a prison cage.

With a recklessness which is hard to understand, the two guards attached to the cage-truck placed a drum of gasoline, which must have been leaky or open, in the cage with the convicts, and then in an access of humane feeling let the Negroes have a fire in a metal bucket to warm them during the ride.

Hitting a bump in the road the gasoline drum, dispatches say, overturned and within a minute the interior of the cage was an inferno. The shrieks of the imprisoned and burning Negroes apprised the guards that something was wrong and they succeeded in unlocking the cage. It was too late. No lives remained to be saved.

Leaving entirely aside the criminal recklessness of the guards in placing fire and gasoline in such close proximity, the fact remains that the locked cage was the true death trap. Had the Negroes not been so penned up, even had they been leg-ironed, they could have jumped out.

For years the traveling cage, used to transport road working convicts in many southern states, has been one of the disgraces of American civilization. Its very use tends to reduce men to the condition of beasts.

It is barely possible that the pitiable tragedy of those 20 caged Negroes will rouse the conscience of the nation to a protest against the whole Southern penal system sufficiently loud to force reforms. If so they will not have died in vain. Most appropriately the horror occurred a few miles from Scottsboro, Alabama. That's where they have been trying nine Negro boys for the last four years for a crime they never committed.

SPARTANBURG, S. C.
JOURNAL
FEB 3 1936

Caught in a Death Trap

That is a fearful tragedy coming from near Scottsboro, Alabama in which 20 negro convicts, trapped in a motorized cage, were burned alive. In the cage were two containers filled with gasolnie. The condition of the roadbed over which the truck was traveling was icy, slippery and rough, and it is supposed the rumbling, jerking of the vehicle caused gasoline to slush out. A prisoner lighted a piece of paper in an effort to warm his hands in the bitter cold weather, and in that way the gasoline was set afire and spread to the containers—an explosion quickly following. The prisoners were in an inescapable death trap, and news stories say their shrieks were terrible as they realized their condition.

Quick work by the guards resulted in extricating two of the men from the cage; these two were frightfully burned and chances are against their recovery. This tragedy is one which demands a searching investigation on the part of Alabama's state officials. The public stands aghast at such a horrible occurrence. It should serve to put proper authorities on notice that in transporting human beings, whether prisoners or school children in buses or otherwise every reasonable element of prudence and safeguard should be exerted.

SCHENECTADY, N. Y.
UNION STAR
FEB 3 1936

Like Rats in a Trap

SO TERRIBLE was the fatal burning of twenty negro prisoners near Scottsboro, Alabama, last week that the sheriff of the county received a telephone call from a London newspaper inquiring whether the victims were the notorious defendants in the Scottsboro case which brought the State of Alabama into unpleasant public notice.

The sheriff hastened to inform London that the State of Alabama was not executing the Scottsboro "boys" in the rat trap; but that the twenty negroes were just prisoners being conveyed somewhere to work.

Alabama does not seem able to get away from these unpleasant sensations. If a circus management had twenty wild animals in a cage, and if the twenty were burned to death under circumstances like the burning of those helpless prisoners, the management would be indicted for cruelty to animals. It remains to be seen what the State of Alabama will do about the burning alive of twenty human beings who were in the hands of the state.

Crime-1936

Alabama

New State Cops Speed To Work On Motorcycles

On motorcycles and in the high-speed automobiles that are also included in their equipment, officers composing Alabama's new 74-man State highway patrol force moved out of Montgomery yesterday afternoon on roads extending north, south, east and west, to the respective stations to which they were assigned Saturday by Chief Walter R. McAdory.

All of them will officially begin active service this morning in enforcement of the State's highway laws.

The officers began to disperse to their stations immediately after official photos of the motorcycle division of the force had been snapped on the south lawn of the State capitol grounds and they had heard a final brief talk from Gov. Graves, who, with Chief McAdory and other officials of the patrol, were photographed with them.

Reiterating the statement made to them soon after the force was organized, that he does not want the patrol to fill up the State's jails, the chief executive told them: "I want you to help the motoring public. They are paying your salaries. See to it that their highways are kept safe."

The governor added that he wanted them to be "Southern gentlemen," and to "still be gentlemen no matter how mad the motorist gets. I think," he added, in conclusion, "you are the finest bunch of officers I have ever seen, but I might have made some mistakes. If I have, I'll remedy them right away."

Following his talk, Gov. Graves shook hands with each patrolman.

In addition to assignments announced Saturday, Chief McAdory stated yesterday he had detailed Officer W. P. Bozeman to duty at headquarters here, and Officer D. A. Cobb to the squad stationed at Talladega.

'Bama Refugee Tells How 3 Sharecroppers Were Slain by Mobs

Afro-American
1-25-36
Baltimore, Md.

Tenant Who Helped to Organize Plantation Workers Reveals Unrecorded Cases of Murders; His Hide Worth $500 a Pound.

NEW YORK, N.Y. — How three of his comrades were shot to death by Alabama lynchers, their homes wrecked and their wives tortured was revealed for the first time, this week, by Albert Jackson, secretary of the Sharecroppers' Union, whose "hide is worth $500 per pound" if he ever sets foot in Lowens County, Ala., again.

The men slain by mobs during a strike of sharecroppers, staged near Montgomery recently, according to Jackson, are:

THE DEAD

Ed Bracy, shot in the back by vigilantes.

Jim Merriweather, shot and left to die.

Smith Watkins, shot by deputy sheriffs in a faked attempt to escape.

They were all slain within a week as sheriffs from three counties, assisted by the sons and relatives of landlords, attempted to force cottonpickers to return to work after they had struck for wages higher than the 35 cents per day being paid, according to Mr. Jackson.

None of these slayings are included in 1935 report of lynchings issued by Tuskegee Institute.

Warned to Leave

Johnson declared that he quit Montgomery, Ala., the headquarters of the union, when he was warned that the postoffice where he received his mail was lined with Ku Kluxers ready to seize him the moment he called for his mail.

According to Jackson's story, he sent a friend to renew his postoffice box, but the friend was held and questioned concerning the activities of the organization and the authorities refused to issue the box permit until Jackson "appeared in person."

He sent another informant to the postoffice before venturing and from him he learned that the postoffice was lined with white men known to be Ku Kluxers. He immediately left town.

How Men Died

The story of how the three slain men met their deaths was given to the AFRO in a recital by Jackson.

When the workers went on strike at the Bell plantation, near Fort Deposit, Ala., the landlord and his henchmen started a round of terrorism, driving men and their families from their homes.

Sympathetic white sharecroppers who harbored colored workers were also beaten and an effort was made to arrest all of the ringleaders of the strike on trumped-up charges.

Shot in Cold Blood

The first victim was Smith Watkins, an alleged organizer, who was slain while en route to the jail when he allegedly jumped out of the posse car. He was shot down in cold blood.

The second man slain was Ed Bracy, who was shot in the back when he attempted to escape from his home, when two carloads of men drove up to the house.

Bracy was shot because he had previously argued with his landlord who had withheld $5 of a $100 loan the man had received from the government.

Shot and Tortured

The most brutal of the lynchings was that of Jim Merriweather, who was ordered to leave the plantation, but returned to his home to get some provisions and bid his wife goodbye.

He had no sooner entered the house when he heard a car approach. He dashed towards the rear woods but was shot down from the rear.

The torturers kept the man a prisoner without medical aid from 11 a.m. until 6 p.m., as they tried to force from him the names of the other leaders of the movement. Merriweather kept his secret until he died.

Wife Beaten

While one group was torturing Merriweather in the back of his barn, another group entered the house and tried to force the information from his wife.

After searching the house from top to bottom, they discovered some literature beneath an old mattress. In their efforts to exact the information as to its source, they stripped the woman of her clothes and beat her until she confessed that she was the organizer of a woman's auxiliary.

Mr. Merriweather has since come to New York, but is at present in Birmingham, Ala. She has filed several affidavits in the city with a number of organizations.

Flying Squads

Jackson, who is in New York speaking to a number of organizations interested in the plight of the sharecroppers, declared that from letters he has received, Alabama has two special organizations to stamp out any effort to unionize the sharecroppers. One group is a special flying squad of detectives headed by Detective Mosher, and the other is Sheriff Woodruff and his Brown Coats.

Jackson declares that he was never able to get schooling beyond the grammar school, but inherited his ability to talk from a long line of self-made ministers.

TWENTY CONVICTS BURNED TO DEATH

Constitution
1-31-36

Alabama Negro Prisoners Trapped in Cage as Gasoline Supply Ignites

SCOTTSBORO, Ala., Jan. 31.—(AP) Trapped behind the locked doors of a motorized cage, 20 negro convicts were cremated near here today by flames from an accidentally fired gasoline container.

All but two of the load of prisoners, huddled together to keep warm in the 5-above-zero weather, perished as the conveyance was converted into a blazing pyre.

The victims were burned beyond recognition. Pending identification, their names and records were not immediately available.

Burned so seriously they were expected to die, Paul Dawson, of Demopolis, Ala., and John Stokes, of Birmingham, survived the holocaust.

They were rescued by H. M. Middlebrook and C. R. Wasson, white guards.

Middlebrook and Wasson were burned on the hands and face as they snatched the two prisoners from the fire and rolled them in the snow beside the ice-glazed highway.

The guards were riding in the cab of the transfer truck and flames enveloped the machine before they could reach the locked door at the rear.

Dawson Relates Tragedy.

Dawson, seared from head to foot, gave an account of the tragedy, which he said resulted from the effort of a fellow prisoner to warm his hands by lighting a piece of paper.

Two containers of gasoline were in the cage, he said, a large drum and a small can.

"I looked down and saw the blaze run up the floor," Dawson said. "The other boys crowded to the front, away from the gasoline, but Stokes and I clawed at the door.

"Mr. Middlebrook stopped the truck quickly and flung open the door. Me and Stokes jumped out and they rolled us in the snow, calling for the others to jump out."

The gasoline flamed and exploded, throwing the burning fluid over the panic-stricken prisoners and cutting off escape. Their frantic pleas for help rose above the roar of the flames.

Middlebrook said the truck had been making slow progress because of the hazardous condition of the highway.

He said its slipping and sliding along the rough road apparently caused some of the gasoline to slosh

coming from the state. Although the are proceeding with the President's organization program, they would be surprised to see a primary called now right away at least.

There is not much doubt on the part of the individual congressmen and the two senators of the ability of the President to trounce the Governor for a fare-you-well if he de-

could save, but both were badly burned. The rest could not be reached."

Coroner W. R. Word, after questioning the two survivors, returned a finding of "accidental death."

Officials of the state convict department said the prisoners were listed by their records and conduct as "bad."

Hamp Draper, chief of the convict department, and Gaston Scott, chairman of the Alabama Highway Commission, came here at the direction of Governor Bibb Graves to conduct an inquiry.

The Governor declined comment, other than to express regret over the tragedy, until he received their report.

The 20 bodies were laid out within the camp enclosure, where 250 prisoners usually are kept to work on roads in this section.

The "camp" consists of a group of frame structures surrounded by the wire fence.

Dawson and other witnesses said the prisoners were not manacled, as the steel superstructure and locked door of the truck made such precaution unnecessary.

List of Dead.

The list of dead in today's explosion and fire was announced tonight by Warden D. A. Hansard, of the prison camp near here as follows:

Tobert Hereford, Morgan county, serving a year and a day to a year and six months for grand larceny.

Nelson Jackson, of Morgan county, serving two years to two and one-half years for assault with attempt to murder.

Howard Garth, of Morgan county, serving two years and six months for arson.

John Wesley Jackson, sentenced from Jefferson county for grand larceny from two to three years.

Dave Johnson, Jeferson county, manslaughter in the first degree, three years and five months to five years.

Lewis Jenkins, Jefferson county, burglary, five to six years.

Henry Lewis, Jefferson county, burglary, two to three years.

Warren Russell, Jefferson, burglary, seven to eight years.

Virgil Willis, Jefferson county, murder in the second degree, 10 years.

John Ford, Jefferson county, burglary, three to five years.

Edward Gross, Jefferson county, burglary, three to five years.

Shelly Jones, Lauderdale county, burglary, two to two and one-half years.

Jessie Lawrence, Pickens county, grand larceny, three to five years.

Teal McRae, Bullock county, burglary, three and one-half years.

Lester Patterson, Barbour county, burglary, three years to three and one-half years.

Andrew Whitlow, Lee county, burglary, three to four years.

Robert Williams, Macon county, burglary and grand larceny, four to five years.

James Alexander, Dallas county, manslaughter in first degree, seven years and eight months to twelve years.

Jasper Herd, Morgan county, assault with attempt to murder, three to four years.

Josh Boykin, Mobile county, robbery, 10 years.

The date of sentence was not available to Warden Hansard.

Columbia, S. C. State
February 4, 1936

The Chaingang System.

Just one more horror of the convict chaingang and camp system!

Twenty-two Negroes, locked in a steel-barred cage on wheels, were being transported through the frozen, snow-bound country in Alabama. They were being taken from camp to work in a rock quarry.

In their cotton stripes, the intensity of the cold was greatly increased by the rapid movement through the icy air of the motor drawn cage. In the cage was a leaky drum of gasoline, and gasoline in a bucket. A half frozen convict struck a match and ignited a piece of paper so he might hold the feeble flame in his frozen hands.

The gasoline exploded. Before the guards riding in front could unlock the door, twenty men were roasted to death. Two were desperately probable fatally, burned.

"Just one of those accidents," they say. Yes, but humane treatmen would have prevented those thinly clad convicts being exposed to such suffering in such weather. Proper care would have prevented a leaking gasoline drum from being in the cage. But back of it and responsible for it is the "chaingang system," and that spirit which seems go with the chaingang system. Here and there humanity may rule; but here and there are far apart.

Police Official Admits Murder Rate Blame

Birmingham Drops Hands-Off Policy

2-8-36

BIRMINGHAM, Ala. (ANP) — Dropping the common southern attitude that the killing of one Negro by another was merely "good riddance," Birmingham has relinquished its place won in 1931 as "the world's most murderous city" by clamping down on Negro homicides, said G. C. Giles, chief of detectives last week.

"Up to a couple of years ago," Giles declared, "it was felt that the scrapping didn't make much difference even if quite a few were killed. The general opinion was that a majority of murders in tough circles was little more than good riddance, and there was no particular reason why Negroes should not carve themselves to pieces if they saw fit.

"Every week-end from two to a dozen or more Negroes would be admitted to Hillman hospital with cuts and bruises. Unless the victims chose to press charges against their assailants, enforcement authorities did nothing.

"Undoubtedly this hands-off policy, dictated by public opinion, encouraged homicide. Since penalties were few, habitual fighters got rougher and rougher until finally they killed some one."

Because of its reputation as most murderous city, police decided to prosecute all attack cases whether victims wanted it done or not. This was in 1933. The number of assaults that year was 369, with killings at 123. Since the new attitude, in 1935 assaults were down to 221 and homicides to 103.

Police Inspector E. A. Lyons believes the South gets its reputation for most murderous section because of the large number of Negroes and illiteracy, completely ignoring the common sectional attitude toward Negro murders and the reduction in Birmingham due to law enforcement.

The official points out that cities having a large proportion of illiterate Negroes have the highest homicide rates. Lyons states that in 1910, with an illiteracy percentage of 10.4, the homicide rate was 83 per 100,000 while in 1930 with illiteracy down 6.2 the killing rate dropped to 42 per 100,000.

Of the 103 slain here in 1935, 79 were Negro men and 10 Negro women. During last year, white men killed nine Negroes while one white man and one white woman were killed by Negroes.

RICHMOND, VA.
TIMES DISPATCH

FEB 1 1936

Another Scottsboro Tragedy

THE horrible tragedy which brought Scottsboro back into the news again on yesterday, was the direct result of gross carelessness on somebody's part. There is no possible justification for placing a 30-gallon drum of gasoline inside a cage on wheels containing 22 convicts.

We understand that such cages are not used in Alabama any longer, except for transferring prisoners from place to place, but in some Southern States they are still doing duty as sleeping places for the prisoners, who spend their days on chain-gangs and their nights shackled like animals in these traveling lock-ups. Virginia, we are glad to say, does not use such cages for any purpose.

Some may have thought SECRETARY ICKES was trying to be funny when he referred to GOVERNOR TALMADGE of Georgia the other day as "his chain-gang excellency," but there was grim truth in the phrase. It was TALMADGE who said some months ago that the "prison camp or chain-gang is the most humane way to keep prisoners."

This should be placed alongside the recent findings of a commission created by the Georgia Legislature to investigate prison conditions in that State. It reported to TALMADGE that conditions described in BURNS' *I Was a Fugitive From the Chain-Gang* are "mild compared to conditions in some camps," and MR. TALMADGE had to admit that "conditions are very deplorable" in "some camps." It was stated by the commission that in Heard County "steel collars attached with chains running to steel anklets were used on convicts, and in some instances spikes were affixed to the ankles of prisoners." It also was found that men with tuberculosis or syphilis were chained in bunks next to men who were not afflicted with these maladies.

Then the horrible episode in a North Carolina convict camp, which resulted in the amputation of the feet of two convicts, is fresh in the memory. It will be recalled that the men in question were chained nine days and nights to the iron door of their cell in extremely cold weather, with hardly any food or heat. Their feet froze and become gangrened. They got no medical attention worth mentioning until it was found that their feet had to be amputated. A jury acquitted all the prison officials connected with the affair.

While our information is that conditions in the Alabama convict camps are somewhat better than those described in the foregoing paragraphs, the placing of a 30-gallon drum of gasoline in a closed truck full of prisoners is the grossest sort of negligence. It indicates that insufficient care is exercised with respect to convicts.

In all probability, too, this episode will lead to fresh outbursts of criticism of the Alabama authorities from the North, thereby adding to the resentment already existing in that State over the mediation of Northerners on behalf of the Scottsboro defendants. Poor Alabama! The Scottsboro case was sufficiently muddled already, without the recent affray between OZIE POWELL and his guards. Now comes the incineration of 20 Negro convicts through the carelessness of an attendant. It makes the conviction of the remaining Scottsboro defendants all the more certain. But if it will lead to reform in penal conditions in various Southern States, it will bring at least some good in its train. The South has been penologically backward for a long time. GEORGE W. CABLE called attention half a century ago to the horrible conditions under which convicts lived in Dixie

Crime - 1936

Alabama

Two Negroes Granted Reprieves, Two More Await Death Verdicts

The fate of two condemned negroes was in the hands of the State Pardon Board and Gov. Graves last night while two others facing death in the electric chair were granted a month's reprieve to permit board members to obtain court records in the cases.

Each of the four was convicted of killing a member of his own race, and had been sentenced to die together Feb. 21.

Those receiving a reprieve until March 20 were Robert Dudley and Eddie Roper, of Birmingham, while the board took under consideration the pleas of Johnnie Hayes, of Birmingham, and Johnny Preston, of Opelika.

Dudley was convicted of killing Elijah Crawford in a free-for-all fight that started in Crawford's house after a negro dance nearby broke up in a row, and one of the participants sought refuge in Crawford's house. Dudley denied the State's charge.

Arthur Zeigler, negro, convicted for the slaying with Dudley, was sentenced to die but obtained a new trial and on the second trial was sentenced to 50 years.

Assistant Solicitor Greye Tate, of Jefferson Circuit Court, recommended clemency for Dudley in view of Zeigler's lesser sentence, declaring that both were guilty and that Dudley should not suffer the death sentence when Zeigler obtained a prison sentence.

Eddie Roper was convicted of Killing John Donegan in a negro speakeasy after a quarrel arose at the end of a few drinks. He claimed self defense, and said Donegan attacked him with a knife and that he shot him to save his own life.

Johnnie Hayes killed Willie D. Roberts at a Saturday night party in Birmingham, and raised the plea of self-defense at his trial.

Judge J. Q. Smith, of Jefferson Circuit Court, trial judge, recommended clemency for the negro. Hayes's file contained a letter from former Gov. Miller, of Camden, stating the negro's family in Wilcox County had a good reputation.

Tears in his eyes, Hayes pleaded with Gov. Graves—"Give me back my life and I'll make the State of Alabama the best convict that ever walked into a prison camp." His mother and father joined with him in asking for clemency.

Johnnie Preston, 33, was convicted of attacking a young negro girl and then choking her to death on a farm near Opelika. The negro, who sat as in a stupor during his hearing, was described as a "half-wit" by J. A. Kilgore, Opelika merchant.

Sheriff Emmett Holt, of Lee County, said that he did not believe Preston's mentality was great enough to permit him to understand what he had done.

The sheriff said that Preston was arrested by negroes in the community who brought him to the Lee County jail after they had beat him and cut him with knives.

Preston's mother told the pardon board and the Governor that he was one of 15 children, all living, and that he had been abnormal since he was a child.

BURNED CONVICTS' FAMILIES GET CASH

Compensation Is Ordered For Dependents Of Negro Car Fire Victims

Compensation totalling $23,200 was awarded yesterday by the State Board of Adjustment to the dependents of the 20 negro convicts who were burned to death near Scottsboro, Jan. 31, when a drum of gasoline on a truck in which they were being transported to work on the roads, was accidentally ignited.

It was found by the board on the basis of evidence submitted by a special investigator, that the prisoners lost their lives in the line of duty and acting under the orders of the Highway Department. Only three of the deceased had minor dependents, it was found. In each of the three cases $1,500 was awarded these minor dependents.

In the other 17 cases $1,100 was awarded the heirs of the deceased in each case. The maximum amount the board can award in such cases is $1,500. Payment of the entire amount awarded will be made by the State treasury out of State Highway Department funds.

So as to safeguard proper distribution of funds in every case, the board has provided that probate judges appoint guardians for the minor heirs concerned; and in all other cases, name the county administrator or sheriff in the respective counties of which the deceased convicts were residents, as administrators of each convict's estate—the award to be paid to them for distribution among the heirs.

The prisoners having minor dependent heirs, were Robert Williams, John Wesley Jackson and Jasper Herd. Heirs of the other 17 convicts are of legal age or over.

Awards made were formally authorized at a meeting yesterday at the Capitol of the Board of Adjustment, which is composed of Secretary of State Howell Turner, chairman; Treasurer John Brandon, and State Comptroller Charles W. Lee.

Lee County Negro Executed At Kilby

Johnnie Preston, negro, convicted in Lee County of assaulting and slaying a 10-year-old negro girl, expiated his crime in the electric chair at Kilby Prison at 12:30 a.m. today, when he was pronounced dead after two shocks of electricity were passed through his body.

Preston recently entered a plea of insanity, which was rejected by the Board of Pardons.

The negro was led into the death chamber at 12:16. He was strapped into the chair by attendants and the first shock was sent through his body at 12:23. A second shock was applied a minute later and the prison doctor pronounced him dead at 12:30 a.m.

Johnnie Hayes, Jefferson County negro, scheduled to die at the same time, received a reprieve until March 20 in order that the Governor might study his case.

BIRMINGHAM, ALA.
NEWS

MAR 24 1936

Crime Declines In Birmingham

The records of the Police Department show a very marked decline in crime in Birmingham in the first two months of this year, as compared with the same period of 1935, 1934 and 1933. There has been a continuing decrease in the total of all major offenses, and in most classifications of crime the figures show material improvement.

For all major offenses, the record for January and February is 11.2 per cent under the same months of 1935, 12.9 per cent under 1934 and 30.6 per cent under 1933.

There were eight homicides in the first two months of the year. There were 22 homicides in the same period of 1935, 21 for 1934 and 24 for 1933. The number of cases of manslaughter by Negroes was 6 for January and February, which was the same as for last year, but a reduction under the total of 11 in 1934 and 7 in 1933.

Robberies declined to 38, as compared with 43 in 1935, 38 in 1934 and 71 in 1933. Burglaries totaled 325, as against 376 in the first two months of 1935, 353 in 1934 and 394 in 1933. There were sharp declines in grand larcenies over $50 and in automobile thefts. The figures for grand larcenies exceeding $50 were 94 for 1936, 139 for 1935, 128 for 1934 and 137 for 1933. For automobile thefts they were 60 this year, 131 in 1935, 189 in 1934 and 277 in 1933. It will be noted that the decline in automobile thefts has been continuous through all these years.

The classification of grand larcenies under $50 showed an increase, the figure for this year being 176, as against 83 in 1935, 52 in 1934 and 78 in 1933. Otherwise the crime record in Birmingham shows highly gratifying improvement.

The total of all crimes was 735 for January and February, as compared with 828 for the same months last year, 844 for 1934 and 1,059 for 1933. This is real progress.

Birmingham, Ala. News
March 24, 1936

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ALABAMA'S STATE PRISONERS

Announcement by President Cleon B Rogers, of the State Board of Administration of his program for making Alabama's State prisoners self-supporting will be good news to taxpayers and those who benefit by the expenditure of taxes. Mr. Rogers intends to expand the food production and the clothing production of the prisoners. Immediately there will be a material increase in syrup production and the rice crop will be increased, too. All clothing except shoes and rainproof coats, will be made by the prisoners. Mr. Rogers believes that this program will result in large savings to the State, and so it should.

Another hopeful program in convict care in Alabama is that of the Parole Bureau, an agency created by Governor Graves. Hamp Draper, head of the Convict Department, is chairman of the bureau, Bruce Airey is associate member, and S. B. Blan is secretary.

This bureau is similar to the Federal parole bureau and its counterpart may be seen in a number of States. Its purpose is to make an independent study of prisoners and recommend those selected as worthy of clemency to the Governor for paroles.

Every prisoner whose case is being reviewed is visited at the prison where he is confined and is examined privately by Mr. Airey. All possible information on the case is sought by the agent. In every case the prisoner must have the promise of employment and the State the assurance that some good citizen will act as sponsor for the parolee during the period of his freedom. The bureau checks up frequently on the progress of the parolee.

In a pamphlet explaining its mission the Parole Bureau says:

> When all information is at hand, the chairman and associate member make a careful study of the case. No lawyer, no prisoner, no friend, no other than the two members of the bureau are present for this final study and decision. Such cases as are considered fit subjects for parole treatment are recommended to the Governor.

Every parolee must make monthly reports to the bureau on blanks supplied him for the purpose, giving a detailed account of his work and conduct for the previous month, which report must be attested by the sponsor in the case. The bureau has its agent visit the parolee from time to time, for a period of 12 months.

A parole agent of good judgment can select many prisoners yearly who might be released conditionally without injury to society. Many of these prisoners can be rehabilitated by careful supervision. By getting them out of prison and giving them a chance under supervision to reestablish themselves prison congestion can be relieved. Many prisoners to be sure are too vicious to be released to prey upon their fellow men. For their own good and for the good of society they must be confined.

But wherever rehabilitation can be achieved, it is the duty of government to attempt it.

Birmingham, Ala., Age-Herald
May 22, 1936

LONG SENTENCES GIVEN NEGROES

Pair Tried In Sylacauga House Burglaries Get 307 Years

TALLADEGA, Ala., May 21—Two Negroes, arrested by Sylacauga police following a series of more than a dozen house-breakings there, in which several women and children were menaced, were sentenced in Circuit Court Thursday. One was given terms of 99 years in each of two cases and the other a 99-year term in one case and 10 years in another.

The Negroes were arrested by Officer J. A. Cleghorn, Sylacauga, who worked from a lead of footprints around residences entered. Confessions were claimed in each of the three cases in which 99-year sentences were fixed.

The Negroes were charged with entering or burglarizing inhabited dwellings at night, a new Alabama statute which provides capital punishment.

Alfred Mayfield, 24, Negro, received sentences of 99 years each after pleading guilty to entering the residences of Mrs. Eloise Warren, where he was reported to have stolen a razor and ripped the pajamas of her young daughter, Louise Vardeman, and to entering the residence of Mr. and Mrs. Jack Sailors, where their daughter, Mae, 16, was menaced. Neither of the girls was hurt.

Bowman Fuller, 33, Negro, was sentenced to 99 years after entering a plea of guilty to entering the residence of Mrs. Elmer Howard. He was tried on the count of entering the Sailors' residence with Mayfield and was sentenced to 10 years.

In each instance the women or children screamed and frightened the assailants away. None was harmed.

Sentences were passed by Judge Lamar Field, Anniston.

Talladega, Ala., Mountain Home
May 27, 1936

LONG TERMS GIVEN PAIR NEGROES BY NEW LAW AFFECTING BURGLARY

Equivalent To Life Terms Are Given Sylacauga "Peeping Tom" Burglars

FIVE ENTER GUILTY PLEAS

Two Negroes faced the equivalent of life terms in the penitentiary Friday following their conviction in the Sylacauga "Peeping Tom" burglaries Thursday afternoon in Circuit Court.

This is believed to be the first instance in the state in which the new law has been applied making burglary of an occupied dwelling at nght a capital offense in Alabama.

Punishable by 10 or more years imprisonment or death in the electric chair, Alfred Mayfield, 24, was punished with 99 years imprisonment in each of the two cases, and Bowman Fuller, 33, was punished by 99 years in one case in which he pleaded guilty, and 10 years in another case in which a jury verdict was returned.

Testimony in Mayfield's first case showed that he entered the home of Mrs. Eloise Warren and molested her little daughter, Louise Vardaman. In another case Mayfield, according to witnesses, entered the home of Mr. and Mrs. Jack Sailors and molested Mae Sailors, their 16-year-old daughter. In each case the Negro fled when the children screamed, and neither of the girls was hurt.

Fuller pleaded guilty to entering the home of Mrs. Elmer Howard and attempting to molest her, and was convicted of entering the Sailors home with Mayfield.

The Negroes were charged jointly with four burglaries and one attempted assault, and separately with two attempted assault cases each. One of the burglary cases was at the home of Mr. and Mrs. H. L. Dozier. All occurred at Sylacauga during a period of several months when dozens of homes were entered and women and children molested. The other cases were witndrawn and filed.

Sheriff's officers and Sylacauga policemen testified that both Negroes had confessed to the crimes, but both pleaded "not guilty" except in the instance of Fuller, who entered a guilty plea in one case after he and Mayfield had been convicted in another case.

Arrest of the two men after a long investigation, conducted principally by Policeman J. A. (Ike) Cleghorn, was followed by Grand Jury indictments being returned. Officer Cleghorn began his investigation of the case with only the footprints of the "Peeping Tom's." Later he traced the movements of Fuller and Bowman and assertedly obtained full confessions. He was assisted by Chief R. O. Snider, Policeman W. F. Temple and county officers.

Foreman of the three juries that sentnced the Negroes were A. G. Wedon, Charles H. Miller and C. M. Henley. Judge Lamar Field presided.

Pleas of guilty were entered Thursday in the following cases, in which sentences will be imposed at the close of the preset session of court.

Sam Brown, burglary.

Tom Crawford, burglary.

W. T. King, statutory offense.

Alfred Moten, distilling.

J. D. Badders, grand larceny.

A dozen or more criminal jury cases remained on the docket for trial at this session of court.

Pleas of guilty to charges of assault with intent to murder were entered by Alf Washington, Ollie Butterworth and Freeman Hughes. Dave Sterling pleaded guilty to assault and battery on two counts. A jury verdict found A. D. Bryant guilty of petty larceny on two counts, fixing sentences at six months in each case.

Crime—1936

Alabama

Justice Wasn't Blind Enough, Says High Court Giving Negro New Trial

"Justice is blind, says the law, and in her judgment must see no man, color, race, or condition," Judge James Rice of the Alabama Court of Appeals quoted in his opinion in which the high court granted a new trial yesterday, to Paul Davis, Lawrence County negro, but, the opinion added, justice was merely 'blindfolded" in this case and the "prosecuting attorney stripped the blindfold away more than once so that it could be seen a negro was being tried for assaulting a white man."

Davis was indicted for assaulting with attempt to murder, Leon Elkins, a white citizen of Lawrence County. At his trial the young negro was convicted and sentenced to imprisonment for from 7 to 10 years. He claimed he was tussling with another negro when Elkins interfered and cursed him: that he answered in kind and that Elkins drew a knife and advanced on him, and that he then threw the rock that struck and injured the white man. Following his conviction and sentence, he appealed.

Acting on that appeal yesterday, the Court of Appeals in opinion written by Judge Rice, after quoting the legal admonition that justice must be blind, said "We are persuaded that, in the trial of the case, justice was merely blindfolded; and, in more than one instance, the attorney representing the State took it upon himself to strip the blindfold from justice's eyes that she might see that it was really a negro being prosecuted for an assault upon a white man.

"True, the learned trial judge, in the first instance, took occasion to admonish the jury that they should not allow defendant's (appellant's) color to influence them. But immediately, or shortly, thereafter he, by overruling appellant's motion to exclude another reference to appellant's color from the jury's consideration, would seem (certainly to the jury) to have condoned even the utterance made in argument which had called forth his previous admonition to the jury." On the basis of the whole situation, it was stated, the Court was "driven to the conclusion" that because of the error in not confining the argument within proper channels, judgment of the trial court should be reversed.

Dothan, Ala. Eagle
June 17, 1936

THE GOVERNOR AND CRIME HE SPEAKS

Governor Graves broke a long-standing custom when he declined to aid Baldwin County in recapturing a criminal of bad type by not offering the usual reward. The Mobile Register tells about the incident:

Solicitor J. B. Blackburn of Baldwin County reveals that a request to Gov. Bibb Graves to post a reward for the apprehension of the slayer of 20-year-old Edward Beavers of Foley has gone unanswered and ignored.

"The posting of rewards in aggravated murder cases is quite as proper a function of the Governor's office as the granting of paroles and pardons. The ax-murder of young Beavers, for which a Negro is suspected, was one of the most brutal and unprovoked in Alabama history.

"What manner of Governor is this man who sits in Montgomery? Notorious for lending ready and sympathetic ears to the pleas of criminals asking release from prison, he is stone deaf to the request of law enforcement officials seeking aid in apprehending a fiend.

"The people of Baldwin County, repudiated by their Governor, have Sheriff M. H. Wilkins and a group of Foley citizens to thank that a $100 reward has been subscribed and posted, and that Sheriff Wilkins, despite the gubernatorial snub, is continuing relentless search for Beaver's murderer."—Selma Times-Journal.

Centre, Ala., News
July 10, 1936

A man and a woman were a'caring *aboot* Birmingham when someone or something shot the man. Of course an Ethiopian shot the man, who was alleged to be "protecting" the woman; leastwise he was *he-man* enough not to divulge her name. Of course only a negro could have shot him—maybe her husband or sweetheart was not present. Some years ago some women were shot in this self-same Birmingham. They laid it on a negro, "identified" him, and had him sent to the penitentiary. Certainly the men's wives could not have blacked up as Ethiopians, beat the men to it and exploded a few *cattages* to satiate green-eyed jealousy.

Chattanooga, Tenn. Times
August 7, 1936

BANKRUPT JUSTICE.

There are people who believe that reforms in the rules of criminal and civil law will be achieved long before reformations are brought about among an element of lawyers. Substantiating that point of view is the experience of Ned Williams, a Montgomery (Alabama) Negro, who, according to a news story in the Montgomery *Advertiser*, "did the unusual thing of paying spot cash for the privilege of filing a voluntary petition in bankruptcy in the United States Middle District Court." The news story brought out that it is customary for persons taking advantage of the bankruptcy law in such cases "to pay down a small portion of the cost and then make other remittances on terms agreeable to the Court." Ned Williams departed from custom:

> He was not only able to pay $35 in cash for filing, but also engaged a lawyer to handle the matter. The petition listed claims of creditors amounting to $105. After settling with his lawyer, the Negro, it was estimated, will be only a few dollars better off than if he had paid every creditor up in full, and remained out of court.

As an illustration of justice, that incident is a sorry spectacle. How any Court would permit a petitioner to pay to a lawyer a sum of money which would, together with the court costs in his case, enable him to settle a large part of his debts is something hard to understand. The fact that it happened is an illustration of the fact that one of the obstacles to a proper administration of justice is the lack of a sense of justice on the part of some members of the judiciary, and some lawyers.

Wetumpka Prison, Erected In 1839, Holds State's 280 Women Convicts

By WILLIAM I. TRUBY
Associated Press Staff Writer

Behind the walls of Wetumpka Prison—erected in 1839—the women prisoners of Alabama make the clothes for the State's entire prison population of 6,000 to wear.

Here the 280 negro and white women turn out socks and stockings, underwear, dresses, pants, coats, shirts, caps—everything worn in Alabama's four prisons and 10 road camps except leather and rubber products.

And except for the suits given prisoners when paroled or upon completion

So It Is Negroes Who Do It, Is It? Better Read This

Those who believe the Negro element is responsible for the major portion of crime in Birmingham are wrong, Commissioner W. O. Downs pointed out today as he received the annual crime report from Chief of Police Luther E. Hollums which showed that of the 33,519 persons arrested 22,17[illegible] were white.

Of the latter figure, 2098 were women. This compared with 1653 Negro women. Negro males arrested totaled 9695.

Public drunkenness led all law violations, the report showed, with 8829 persons arrested on that charge. This does not include those charged with driving a car while intoxicated, which included 631 cases. There were 6953 convictions in Traffic Court.

A total of $181,363.71 was collected in fines last year in the two Recorder's Court, the report showed.

Robbery Nets Negro $1.50, Life In Prison

BIRMINGHAM, ALA., Sept. 30.—(AP)—For robbing a home, in which he obtained $1.50, James Thomas, negro, was sentenced today to life imprisonment.

The prosecutor had asked the death penalty, permissible under Alabama's new burglary law.

Mrs. Mary Horne testified the negro remained in her bedroom for half an hour, terrorizing her and her young son. She said he also approached the bed in which her daughter and a girl friend slept, but did not awaken them. Finally, upon her pleading, Mrs. Horne said Thomas left the residence after taking $1.50 from her purse.

FIVE NEGROES HELD IN WHITE MEN'S BEATING

By United Press.

MONTGOMERY, Sept. 29.—Five Negroes were held in jail today in connection with the midnight beating of two white men four miles from here Sunday.

Sheriff Haygood Patterson said he believed the two white men, Herman Moschel and Otis Reynolds were mistaken in their story that the Negroes had approached them as they walked along a dark road and opened fire with pistols.

He said examination by physicians showed a wound on the side of Moschel's head and a crease on the top of Reynold's skull were apparently caused by sharp rocks and not by bullets.

Ex-Convict And Negro Spotted In Police Lines As Bandit Pair

Eight people yesterday eyed nine men in a line at the county jail and picked out a white man and a negro, averring that in the past 60 days they looked into the muzzles of pistols held by them as they consummated a store robbery. Four warrants charging robbery were signed, the signature of a preacher appearing on one.

Two warrants jointly charged Paul Richardson, 26-year-old ex-convict, and Sam Parker, his alleged negro accomplice, with the armed robberies of an A. and P. store ($96.78) on Mobile Street, and the E. A. Knox Grocery Store ($15) at 609 Mulberry Street.

The other two warrants designated Richardson as the lone bandit who robbed the E. N. Spiers Grocery Store ($15), 26 Houston Street, and the A. and P. store ($60.14) at 911 South Hull Street.

Chief of Detectives said two more warrants would be issued today after the men are lined up again for identification by witnesses to other hold-ups. They will appear for a hearing in the Recorder's Court tomorrow morning. Since the offense they are charged with is a capital offense no bond can be set.

From the ranks of the inmates of the jail Detectives Albert Chancellor and A. C. Dennison selected three white men and four negroes to stand in line with Richardson and Parker who has served time in Atmore Prison.

As the witnesses, including Dr. O. P. Spiegel, pastor of the Cloverdale Christian Church, surveyed the faces before them, Richardson puffed a cigaret with the aplomb that has characterized him before and since his arrest. The negro held as his confederate resignedly hung his head, the hair on which was parted with a bullet from the gun of Officer D. W. Keener, when the latter sought to stop the fleeing car of the bandits.

The negro, Chancellor said, has admitted his part in four audacious daylight (always at 1 p.m.) robberies. The negro said he formed his partnership, unique in local police annals, when he met Richardson downtown and the latter inquired:

"You got any guts? If you have I know how we can make some money."

"Alright," the negro quoted himself as agreeing.

Marianna, Fla., Courier
November 19, 1936

DEATH FOR $1.50

The other day, a Birmingham, Ala. negro was sentenced to serve life imprisonment for burglary. He was charged with stealing $1.50.

Under the new Alabama burglary law, according to the Associated Press which carried the theft article, the penalty for such a crime is death; and the state asked that the negro's life be taken.

A civilized nation can hardly justify such an extreme penalty or even life imprisonment for the theft of $1.50. It is going too far beyond a reasonable boundary; it smacks of sadistic barbarism.

We quite understand the death penalty for armed robbery, which can be termed as rather extreme in itself; but death for stealing $1.50 is too much; and it is wholly without justification.

Reading such articles, knowing they are factual, reminds one of "Les Miserables"—the story of a man serving 10 years for unlawfully taking a loaf of bread. Stealing $1.50 and getting life imprisonment and stealing a loaf of bread and getting 10 years are one and the same. Both acts are illegal and both penalties are barbaric.

Montgomery, Ala. Journal
December 3, 1936

EVILS OF CONVICT LEASING

The state of Alabama formerly realized a profit of a million dollars a year through leasing its convicts to the private coal operators of the mineral district. In 1927 the system was abolished entirely, and Alabama wiped away a stain of long standing by declining longer to pay public expenses with the blood money of its convicts. It is fortunate that Alabama escaped from this practice nearly ten years ago. The barbarity of permitting private interests to make money out of the leasing of prisoners is illustrated in the wave of national indignation stirred by the revelation of an Arkansas slave case. A chief of police there worked in collusion with a mayor. Vagrant negroes were regularly rounded up, taken before the mayor and fined $30. The chief of police then leased the prisoners from the city and took them to his farm to work. The inhuman treatment accorded them finally caused disclosure of the practice, arrest of the offender and his conviction in federal court. Public sentiment will no longer tolerate conditions which were once tolerated largely because people did not know what was going on. It required years for the people of Alabama to become convinced of the cruel and inhuman treatment accorded prisoners forced to work in mines at tasks and under conditions which free labor could not be induced to undertake. The man who defies public sentiment on such subjects as this nowadays is sure to come to grief.

Crime-1936

Alabama

Greensboro, N. C., News
February 2, 1936

ADD: SCOTTSBORANA.

Along with the horror and the stark tragedy of the burning to death of 20 negro convicts trapped in a steel transfer cage is the unfortunate circumstance that the holocaust was reported under a Scottsboro, Ala., date line.

To a great mass of the American, and perhaps world, citizenry Scottsboro, because of the well known case involving a group of alleged negro attackers, has become the by-word for racial feeling, prejudice and involved southern justice.

That Alabamans, press and citizenry, have been quick to deny charges and defend their state, section and system from attackers, centering their fire in a counter-attack upon meddlesome, radical and ill-advised outsiders, matters not in the light of what has transpired and the feeling which it has generated.

An additional commentary, adding to the mystery, fanning the flame and unleashing criticism anew, was written only a few days ago when one of the Scottsboro defendants, among the group being transported to Birmingham, was shot and seriously wounded by a deputy sheriff. The official statement that he attacked his guard with a pocket-knife has been, especially in view of muddled or missing details, anything but satisfactory not merely to those looking for agitation and furtherance of particularist causes but to the sound-thinking citizenry interested primarily in justice.

On top of these events has come Friday's tragedy. Twenty-two negroes, 20 of whom were burned to death with the remaining two expected to succumb to their burns if they have not done so by the time this appears in print, locked in a steel incased truck with a 30-gallon drum of gasoline! While other factors may be and have been denied, officialdom cannot discount the freezing weather—five above zero it was in Alabama—and the slippery condition of the highways which foretold the probability of an overturned drum or a sloshing of its inflammable contents. Yet in the face of these manifest dangers, nobody stopped the negroes from making a fire in their steel prison; an early report, not followed up in later dispatches, related how they had been "permitted" to place "a bucket of fire" in the truck to keep themselves warm.

While the tragedy may be dismissed as another one of those "unavoidable accidents" about which we hear so much these days, it will take vastly more than any such official whitewashing to remove the aggravated stain upon Scottsboro and the system, of which handling negro prisoners is a corollary if not a part, on trial there for these how-many years now. Additional evidence on the evaluation of a black life is submitted in all the starkness of 20 charred victims.

High Point, N. C. Enterprise
February 1, 1936

SHAME AGAIN AT SCOTTSBORO

THE state of Alabama rather than any one or two individuals stands charged today with the deaths of twenty Negroes in a flaming gasoline infested truck. Frantic efforts on the part of the two white men accompanying the convicts are worthy of commendation but their delayed action was of little avail. The two convicts which the white guards succeeded in pulling from the fire can not survive and may be dead by the time this is in print.

Accounts of the disaster near Scottsboro, Alabama, indicate that the convicts were being transferred from an encampment to a rock crusher on the highway when the tragedy occurred. They had been caged in a transfer truck similar in some respects to those used by circuses to parade wild animals. Because of the intense cold the convicts had been permitted to place a fire in a can inside the truck. Gasoline in a drum was also aboard. The result was an inferno.

Guards over convicts are a hard boiled lot all too often given to too little thinking. But they are not wholly to blame for their attitude. They deal with a hard lot who will rebel if given the opportunity. Therefore, guards make alertness their watchword and couple this with harshness. It is not to be expected that they are unduly concerned about the lot of a group of prisoners.

But prisoners, white or black, are human beings. The same fate would have overtaken twenty white convicts just as well. It is doubtful if the highways of Alabama or any other state justify human labor working on them and at highway crushers in such weather as has gripped the nation during the past few weeks. Even convict labor is entitled to some consideration and is most certainly worthy of ordinary protection against hazards.

WASHINGTON, D. C.
POST

FEB 2 1936

More Scottsboro News.

As if Scottsboro had not already received more than enough notoriety, that Alabama town is now the scene of a holocaust in which 20 Negro convicts were burned to death in a padlocked prison truck. The ghastly accident, following the line taken at the Macon gathering last week, will further increase racial tensions. It is also likely further to complicate the problem of the courts regarding the eight "Scottsboro boys" whose cases were recently prejudiced in another way when one of them became involved in a knife and pistol scuffle with a guard.

The carelessness which put 20 men and a quantity of gasoline together in a barred cage was criminal, and emphasizes the indifference with which colored convicts are regarded in some areas of the South. From time to time a particularly blatant example, such as the Scottsboro cremation, will stir public outcry, but the indignation soon dies.

If Alabama justice is as concerned for the honor of the South as its arguments against the Scottsboro defendants would seem to indicate, no time will be lost in fixing the blame for the hideous death which has overtaken a score of helpless prisoners.

Knoxville, Tenn., Journal
Feb [illegible] 1936

"Accidental Death"

Accidental death is the description given the horror of the helpless agony in which twenty Negro prisoners, on Friday, died in a few minutes after an explosion of gasoline in the locked transfer truck in which they were being carried from the Alabama state convict camp to a rock crusher some miles to the north.

The way of the truck lay through Scottsboro and the story of this hapless burning came from the town whose very name already bears many a conflicting inference, but which in this case was merely like Mantua in ancient Roman days, "too near, alas, to wretched Cremona."

Scottsboro had nothing to do with this recent tragedy of death and terror, even though its name in the date line of the story aroused the speculation of people half a world away.

The fatal and horrifying accident came, in all probability, from no arrant carelessness or neglect on the part of the prison guards beyond the indifference shown too often by prison authorities for any thought of humanity to the wretched and purposeless creatures for whose safe keeping they are responsbile, whether they be white or black.

Yet, however, it came to happen, it was not a thing of which a civilized people can make any very plausible excuse.

The more wretched, indeed, its victims, the less any show of inhumanity or brutality in our handling of them is to be condoned.

Walla Walla, Wash.
BULLETIN
FEB 9 1936

Scottsboro Again

Cremation of 20 negro convicts, trapped in a burning transport cage from which the guards could not release them, again brings Scottsboro, Ala., to public attention in a most revolting light. The case of the nine negroes known as the "Scottsboro boys," which has been running in the courts and in the news for several years, has caused nationwide disgust with the dispensation of justice in that part of the country; and now this frightful fate of the needlessly caged convicts brings further evidence of race prejudice and mistreatment of persons whose rights of free citizenship are supposed to be secure in law—Seattle Times.

REVIEW
Philips - S. D.
FEB 6 1936

The burning to death of 20 Negroe convicts in a transfer cage on a truck in Alabama last week was one of the most ghastly tragedies that has ocucrred in this country in a long time. It looks as if some one was guilty of the worst kind of criminal negligence in placing cans of gasoline near an open fire in the truck. Such an occurance as this makes one believe there is some truth in the stories that are often heard of the cruel and inhuman treatment meted out in southern prisons.

Raleigh, N. C. Observer
February 1, 1936

Scottsboro, Alabama

Scottsboro, Ala., Jan. 31.—A state convict transfer truck was converted into a flaming death trap for 20 Negro prisoners today as one of them tried to warm his hands over a piece of paper and set fire to a drum of gasoline.

Note carefully the dateline on that story. Scottsboro, Alabama.

Perhaps liberals lied when they charged the blackest sort of prejudice in the repeated trials of the world-famed Scottsboro cases.

Perhaps it was only outside interference that has been responsible for the stories of force and bitterness that have come out from this town.

Perhaps these 20 cremated Ne-

Birmingham, Ala. News
February 1, 1936

Placing The Blame For A Horrible Tragedy

Alabama is sickened by the horrible tragedy near Scottsboro Friday—the burning to death of 20 Negro convicts trapped in a prison truck in which a drum of gasoline had caught fire.

There must be a thorough investigation of this disaster to place the blame where it belongs. Certainly there is blame to be placed. It was, of course, an accident, and the county coroner has already returned a verdict of "accidental death." But it was plainly an accident due to human neglect and error.

There is probably not much that an investigation can disclose that is not already known. But the investigation should be made in order that the blame may be definitely fixed.

The great error obviously lay in the fact that these convicts were being transported in a truck which was a prison cage, enmeshed in steel wire with the exit locked. The practice of transporting convicts in such a cage is reprehensible, in any case. It is worse than reprehensible when a drum of gasoline is transported in the same truck with convicts.

Most Alabamians doubtless are surprised to know that such trucks were in use. Most of us have been accustomed to seeing convicts transported in open trucks, carrying a sufficient number of guards to prevent escapes. From now on there should never be another such prison truck in use in Alabama. It is not necessary to use such a cage in transporting convicts. Convicts can be adequately guarded in an open truck.

It is hard to see how the two guards on the truck, H. M. Middlebrook and C. R. Wasson, could be held blameworthy. They themselves are apparently the victims of a system for which they had no responsibility. Certainly these two guards acted heroically in trying to save the lives of their charges. They themselves suffered burns in trying to help the conicts to safety, and in saving the two Negroes who survived

Spartanburg, S. C. Journal
February 3, 1936

Caught in a Death Trap

That is a fearful tragedy coming from near Scottsboro, Alabama in which 20 negro convicts, trapped in a motorized cage, were burned alive. In the cage were two containers filled with gasolnie. The condition of the roadbed over which the truck was traveling was icy, slippery and rough, and it is supposed the rumbling, jerking of the vehicle caused gasoline to slush out. A prisoner lighted a piece of paper in an effort to warm his hands in the bitter cold weather, and in that way the gasoline was set afire and spread to the containers—an explosion quickly following. The prisoners were in an inescapable death trap, and news stories say their shrieks were terrible as they realized their condition.

Quick work by the guards resulted in extricating two of the men from the cage; these two were frightfully burned and chances are against their recovery. This tragedy is one which demands a searching investigation on the part of Alabama's state officials. The public stands aghast at such a horrible occurrence. It should serve to put proper authorities on notice that in transporting human beings, whether prisoners or school children in buses or otherwise every reasonable element of prudence and safeguard should be exerted.

Bristol, Va., Herald-Courier
February 3, 1936

A Horrible Holocaust.

If the people of Scottsboro don't like unenviable publicity they will regret that a horrible tragedy, of which Negroes were the victims, has again brought the name of their town into the datelines in the newspapers. But the story of the tragedy came from Scottsboro only because it occurred near there.

Twenty-two Negro prisoners were being transported from one place to another in a motorized cage, and in the cage was a large drum of gasoline. The weather was extremely cold and one of the prisoners struck a match and lighted a piece of paper to warm his benumbed hands. Sliding of the truck caused some of the gasoline to spill, it caught fire, the drum exploded and the cage became a furnace. Twenty of the Negroes were burned to death and the other two were so badly burned that one or both of them may die.

The white guards who were driving the truck were in no way to blame for this holocaust. They stopped the vehicle quickly and did what they could to rescue the prisoners, who were serving from one to ten years. It may be said that the prisoner who lighted the paper was to blame, and of course he was immediately responsible. But in the last analysis the responsibility rests upon the State or upon the system under which prisoners are hauled about in cages on wheels, even in the coldest of weather, and a thirty-gallon drum of gasoline may be placed in a crowded cage.

gro convicts were the victims of "unavoidable accident."

Perhaps Scottsboro, Alabama, is merely dogged with the worst of bad luck.

BIRMINGHAM, ALA.
NEWS

FEB 1 1936

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HARTFORD, CONN.
COURANT

FEB 3 1936

A Preventable Accident

The death in Alabama of twenty convicts, all Negroes, when the truck in which they were being transported overturned and burned has been set down as "accidental." The finding is doubtless technically correct. At the same time, the accident seems to have been one that a humanitarian policy, executed with reasonable care, might have prevented.

Such a policy, in all probability, would forbid the transportation of a large number of prisoners—two in addition to the drivers escaped incineration—in a locked truck, described by the Associated Press as a "motorized cage" in which the prisoners were obliged to "huddle together." It would also forbid carrying drums of gasoline in the same vehicle, particularly when they are so badly sealed as to permit the fluid to spill on the floor, to catch fire, as happened, at the least mischance. Such provision for men placed in the care of the State can hardly be regarded as proper. Both reasons of safety and considerations of humanity condemn it.

Once the accident happened, the men in charge were powerless to do anything to save their human cargo, although they made valiant efforts, for which they deserve full credit. They were defeated, however, by regulations under which the prisoners were permitted to be carted around in a locked cage like cattle going to market, although no railroad would permit cattle to be shipped in cars with drums of gasoline. The State of Alabama is under no obligation to carry its prisoners in limousines. At the same time, it would seem obliged, if it must carry them to and fro, to provide transportation that is reasonably safe and comfortable.

Crime-1936

Alabama

Danville, Va., Bee
February 3, 1936

What Will Scottsboro Do?

Shocking disclosures are said to have been made at Scottsboro, Ala., where an investigation was made Saturday into the creamtion of twenty negro convicts caught in a motor truck cage when a gasoline drum caught fire. The investigating board chose not to reveal its findings but forwarded them and the evidence to Governor Bibb.

"Investigation" is the first word uttered when there is a sudden and alarming loss of life accompanied by harrowing circumstances. The larger the catastrophe the more investigations are put under way. All of them have the character of locking the stable door after the horse has been stolen. In the Scottsboro case no amount of investigating will placate a horrified public opinion that twenty human beings locked in a travelling cell would be transported on the same vehicle as a drum of gasoline. Criminal negligence stands out like a red flag. Somebody, somewhere had knowledge that the twenty helpless negroes were being conveyed in the same vehicle as the inflammable fluid and it ought not to be difficult to stand him out and punish him severely for regarding so lightly the value of human life.

It will be interesting to see if Scottsboro so determined to avenge the wrongs done to white women by negroes will apply the doctrine of punishment for proven guilt in an instance where white men have been responsible for the loss of twenty negroes' lives.

ROCHESTER, N. Y.
TIMES UNION

FEB 1 1936

It Happened in Scottsboro

The penal methods of the Deep South have again been distressingly demonstrated by the burning to death of 20 unfortunate Negro convicts, being transported in one of the devices so dear to the official heart in the South—a prison cage.

With a recklessness which is hard to understand, the two guards attached to the cage-truck placed a drum of gasoline, which must have been leaky or open, in the cage with the convicts, and then in an access of humane feeling let the Negroes have a fire in a metal bucket to warm them during the ride.

Hitting a bump in the road the gasoline drum, dispatches say, overturned and within a minute the interior of the cage was an inferno. The shrieks of the imprisoned and burning Negroes apprised the guards that something was wrong and they succeeded in unlocking the cage. It was too late. No lives remained to be saved.

Leaving entirely aside the criminal recklessness of the guards in placing fire and gasoline in such close proximity, the fact remains that the locked cage was the true death trap. Had the Negroes not been so penned up, even had they been legironed, they could have jumped out.

For years the traveling cage, used to transport road working convicts in many southern states, has been one of the disgraces of American civilization. Its very use tends to reduce men to the condition of beasts.

It is barely possible that the pitiable tragedy of those 20 caged Negroes will rouse the conscience of the nation to a protest against the whole Southern penal system sufficiently loud to force reforms. If so they will not have died in vain.

Most appropriately the horror occurred a few miles from Scottsboro, Alabama. That's where they have been trying nine Negro boys for the last four years for a crime they never committed.

Biloxi, Miss., Herald
February 3, 1936

GASOLI.

Alabam transpor
about tw Negro pri
soners. There at the tim
and Alabama wa ag severe cold
An iron cage wr ced on a truc
—a kind of traveling cell—the me
placed in it, and the difficult, slip
pery, cold and dangerous journey be
gan. The truck carried its fillin
station with it—a drum of gasoline
in the cage. This constitutes the one
possible act of negligence of the of
ficers; however, placing the drum in
side the cage, instead of outside on
the truck or upon another truck,
might not have seemed unreasonable
under all the circumstances. If
placed on the outside, the same thing
might have happened, which was this:
Jostling of the truck caused some
gasoline to leak out onto the floor
of the truck. One of the prisoners
became very cold and lighted a piece
of paper to warm his poor fingers for
a moment; in some way it dropped
into the stream or trace of gasoline
and the flame immediately ran to the
drum, which is supposed to have ex-
ploded. The result was frightful.
Two men, who dropped to the floor
and crawled to the door of the cage,
which had been opened by the offi-
cers who told the men to get out,
were able to escape, though badly
burned. They were rolled in the snow
to extinguish the flame. All others
were burned to death.

It was a terrible calamity, and fills one with horror to think of. Imagine the desperate agony and fateful conviction of the crowded men. Very frequently one reads of a "battle" between forces of men with modern firearms, in which not so many were killed. The recent uprising in Cairo and other Egyptian cities against the British did not result in so many fatalities. But gasoline is swifter, more deadly and more relentless than human beings, and claims every victim it can reach—and it has a long yet sudden reach.

The Government filed last month in the federal court at Biloxi about 60 cases from owners of motor boats to recover penalties under the Motor Boat Act for inadequate apparatus and means to extinguish burning gasoline. This act is to protect men on such boats, along with the life preservers and other lifesaving apparatus required by law. The first thing the owner of a motor boat should do is to equip completely his boat with life preservers and gasoline fire equipment. It may save his own life and perhaps those of passengers on his boat. When gasoline first came into use, before automobiles and motor boats, there were many accidents—in stoves, engines, and so forth. Some wag wrote:

"He who runs may read—except him who runs a gasoline engine."

LYNCHBURG, VA.
ADVANCE

FEB 1 1936

ALABAMA'S LATEST TRAGEDY

Scottsboro, Alabama, has gaine the limelight again. This time th Southern community appears on th front pages of the nation's news papers by reason of a tragedy 'tha snuffed out the lives of 20 Negr convicts.

The prisoners were being trans ported from one point to another i a prison truck equipped with a stee cage to prevent escapes. Along with the convicts there was being carrie a supply of gasoline. In some man ner the fuel became ignited and th prisoners were burned to death be fore they had a chance to get out o the trap.

It makes no difference whether the convicts were dangerous o merely serving sentences for mino infractions of the Alabama law. The carrying of inflammables in the truck was inexcusable, if it were not a violation of the law.

Prisoners are human beings although some of them are dangerous criminals. Authorities charged with guarding convicts must not only adopt methods to prevent escape but must also employ precautions that protect the lives of their charges against avoidable dangers.

In Virginia, the transporting of gasoline and other inflammables in vehicles used as public conveyances is prohibited. Undoubtedly this law would apply to the truck used to move prisoners to and from the city

NORFOLK, VA.
VIRGINIAN PILOT

FEB 2 1936

Fruit of the Chain-Gang System

The coroner who questioned the two survivors of the Alabama convict tragedy and investigated the circumstances in which 20 other Negro prisoners did not survive the fire in their truck-cage, returned a finding of "accidental death."

His reasoning is not revealed, but it might be possible to imagine it. Perhaps it was just chance that somebody decided to place a drum and a can of gasoline in the cage with the prisoners. Certainly it was unusual, and maybe accidental, that the temperature was five degrees above zero. If that is so, it might be conceived as accidental that the road was rough and slippery, thus causing the truck to slide and bump and slosh gasoline out of the containers. It would follow that the suffering of the prisoners from cold was accidental. It might even be considered sheer ignorance that led one of the prisoners to strike a match and light a piece of paper in order to warm his hands.

Add all these up, and it might be possible—indeed it is possible for the coroner—to conclude that not often would Alabama have just this combination of circumstances to deal with; and therefore, when the factors are combined, it is a mere accident.

If such attempts at tracing the reasoning of the coroner do him injustice, we regret it. He had nothing to do with the burning to death of 20 Negro prisoners. Other men were more intimately associated with this terrible torture. Other men devised this ingenious cage, loaded it with explosive, subjected prisoners to severe cold without any adequate protection against it, and thereby encouraged (or certainly did not prevent) the undeniably risky but desperately pitiful attempt to keep warm—with a piece of burning paper! Whether the men who did these things acted criminally, as the law defines criminality, we do not know. But they had these helpless Negro prisoners in their charge, and were responsible for them. Their care, their protection, their guardianship is written in 20 crisp bodies.

But not even the greatest blame rests on the guards who did not guard and protect. It rests squarely on the chain gang system of the South. It is not a death here and a death there that counts most. It is not beatings in Georgia or frozen feet in North Carolina. It is not rotten food and rotten clothing. It is not a bullying Florida camp boss who is the real issue. It is not even a funeral pyre in Alabama that takes 20 lives at a time. It is the whole chain-gang spirit: the system of carelessly turning over prisoners to ignorant and poorly paid guards whose brutality mounts with experience; of forgetting all about the prisoners and trusting to blind luck that they are getting along all right; of making no effort to provide what they need; of permitting and encouraging and developing cruelty as a natural and inevitable concomitant; and of ignoring the primary principles of decency and the first lessons of penology.

That is the problem which today stares Alabama straight in the face; and, along with Alabama, every Southern State which relies on the chain-gang as the answer to its penal needs. There is no accident about it. As long as the chain-gang system remains, the tragedies will continue to humiliate and shock.

Miami, Fla. Herald
February 1, 1936

IN TODAY'S NEWS

AND sudden death. It strikes in so many places, in so many forms. Because somebody erred. Scottsboro, Ala., has starred for several years as result of trials of alleged negro assaulters. Now it grabs the headlines with a horrible tale of wholesale destruction of negroes due to their own folly. Locked within a prison truck, 22 convicts were being taken to a highway project. To keep warm they started a little fire. It ignited a drum of gasoline, explosion, and 20 were burned to a crisp. Two white guards on front seat leaped to ground, rushed to rear, threw open door, urged the men to jump. Only two could and they were badly burned. Those black boys won't suffer from the cold "no more;" nor bother the white folks with their depredations. They suffered the capital penalty without any chance of appeal.

Ft. Payne, Ala., Journal
February 12, 1936

The twenty negro convicts recently burned to death near Scottsboro should be a lesson well learned by the State of Alabama. We have never believed it right to cramb human beings into a cage atop of a truck to carry them to and from work. Neither should they be jammed into such a cage and transferred from jails to the penitentiary, regardless of the fact that it might be a cheaper way of transportation. If every citizen of Alabama could witness what we do from our office window when the "dog wagon" comes to the DeKalb County jail after each term of court (as we have called attention to before) they would soon rise up in indignation at the way convicted persons are hauled off to the penitentiaries. We have seen these "dog wagons" so jammed with human beings, negroes, whites male and female, that they would almost suffocate in summer time. And, in winter we imagine the suffering from cold would even equal their suffering in summer from the heat.

Some of these days you will hear of a tragedy along the highway of Alabama that will be even worse than the one that befell the twenty negroes near Scottsboro, if the practice is not ended. In these "dog wagons" each one is herded into the cage, hand-cuffed one to another, locked up and sent on their way. Think of what might happen to that cargo of prisoners should a wreck occur.

We don't know, but it appears to us the railroads would be glad to transport prisoners in a given number just about as cheaply as do trucks—and by far more safely.

It is high time some member of the Legislature, before another tragedy occurs, enact a law that will place our prisoners in the penitentiary in a much more humane way.

Athens, Ala., Courier
February 6, 1936

Twenty negroes were burned to death and two others seriously burned when a prison van caught fire near Scottsboro last Thursday afternoon. The prisoners, 22 in number, were being moved from one camp to another and an open drum of gasoline was in the cage in which the prisoners were locked and it being dreadfully cold the guards allowed the prisoners to have a vessel with charcoal burning in it in the van to help keep them warm and the gasoline 'sloshed out of the open drum and fell into the charcoal burner and in an instant the entire van was a seething mass of flame. The guards stopped the truck and rushed to the rear and opened the locked doors and tried to pull the poor fellows out, and did manage to get two nearest the door out, but they were badly burned as were the guards in making an effort to rescue the caged prisoners. None of the twenty burned to death could be identified after they were gotten out of the seething furnace. This is one of the most deplorable tragedies in the country. And for it to happen near Scottsboro was another tragedy as that section has had enough advertising in the now worn and tedious Scottsboro rape cases.

Birmingham, Ala., Age-Herald
February 6, 1936

The Delayed Report

A secret report on the death of 20 convicts in a steel cage truck near Scottsboro last week has been placed on the desk of Gov. Graves. It awaits his return from Washington, probably Thursday.

Very few persons know what is contained in that report made by a committee of Convict Department officials on appointment of Gov. Graves. But many persons are interested in that report. For in a marked degree the reputation of Alabama outside the state will be influenced by the contents of that report and what action the governor takes upon it.

From without the bounds of Alabama have come criticisms of the carelessness and disregard for safety evi-

almost incredible tragedy through cor-
rection of the conditions which made
it possible.

There are hints that this secret re-
port will state that the burning to
death of these 20 men in a gasoline-
bearing caged truck was an "unavoid-
able accident." Such a report would
be a severe reflection upon a state
that already has a none too good rep-
utation for its treatment of Negroes
in the light of one or two recent
causes celebres.

The report now is finished. The
next step rests with Gov. Graves. If
he is sensitive to the indignation
throughout this state and apparent

denced by this tragedy. *The New Orleans Times-Picayune* gives a sample of what the outside opinion is in a strongly worded editorial. It says:

At the very best the evidence of criminal stupidity and carelessness cannot be refuted. Transfer of prisoners in a locked and gasoline-laden prison cage would be stupid and dangerous under the most favorable conditions. The prison system which permits such a thing demands reproof and thorough-going correction. Alabama cannot free itself entirely from reproach, but its officials can do the next best thing, by taking swift measures—prevent any repetition of this

NORFOLK, VA.
VIRGINIAN PILOT

FEB 2 1936

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Miami, Fla. Herald
February 1, 1936

IN TODAY'S NEWS

AND sudden death. It strikes in so many places, in so many forms. Because somebody erred. Scottsboro, Ala., has starred for several years as result of trials of alleged negro assaulters. Now it grabs the headlines with a horrible tale of wholesale destruction of negroes due to their own folly. Locked within a prison truck, 22 convicts were being taken to a highway project. To keep warm they started a little fire. It ignited a drum of gasoline, explosion, and 20 were burned to a crisp. Two white guards on front seat leaped to ground, rushed to rear, threw open door, urged the men to jump. Only two could and they were badly burned. Those black boys won't suffer from the cold "no more;" nor bother the white folks with their depredations. They suffered the capital penalty without any chance of appeal.

Ft. Payne, Ala., Journal
February 12, 1936

The twenty negro convicts recently burned to death near Scottsboro should be a lesson well learned by the State of Alabama. We have never believed it right to cramb human beings into a cage atop of a truck to carry them to and from work. Neither should they be jammed into such a cage and transferred from jails to the penitentiary, regardless of the fact that it might be a cheaper way of transportation. If every citizen of Alabama could witness what we do from our office window when the "dog wagon" comes to the DeKalb County jail after each term of court (as we have called attention to before) they would soon rise up in indignation at the way convicted persons are hauled off to the penitentiaries. We have seen these "dog wagons" so jammed with human beings, negroes, whites male and female, that they would almost suffocate in summer time. And, in winter we imagine the suffering from cold would even equal their suffering in summer from the heat.

Some of these days you will hear of a tragedy along the highway of Alabama that will be even worse than the one that befell the twenty negroes near Scottsboro, if the practice is not ended. In these "dog wagons" each one is herded into the cage, hand-cuffed one to another, locked up and sent on their way. Think of what might happen to that cargo of prisoners should a wreck occur.

We don't know, but it appears to us the railroads would be glad to transport prisoners in a given number just about as cheaply as do trucks—and by far more safely.

It is high time some member of the Legislature, before another tragedy occurs, enact a law that will place our prisoners in the penitentiary in a much more humane way.

Atliens, Ala., Courier
February 6, 1936

Twenty negroes were burned to death and two others seriously burned when a prison van caught fire near Scottsboro last Thursday afternoon. The prisoners, 22 in number, were being moved from one camp to another and an open drum of gasoline was in the cage in which the prisoners were locked and it being dreadfully cold the guards allowed the prisoners to have a vessel with charcoal burning in it in the van to help keep them warm and the gasoline sloshed out of the open drum and fell into the charcoal burner and in an instant the entire van was a seething mass of flame. The guards stopped the truck and rushed to the rear and opened the locked doors and tried to pull the poor fellows out, and did manage to get two nearest the door out, but they were badly burned as were the guards in making an effort to rescue the caged prisoners. None of the twenty burned to death could be identified after they were gotten out of the seething furnace. This is one of the most deplorable tragedies in the country. And for it to happen near Scottsboro was another tragedy as that section has had enough adverse publicising in the now worn and tedious Scottsboro rape cases.

Birmingham, Ala., Age-Herald
February 6, 1936

The Delayed Report

A secret report on the death of 20 convicts in a steel cage truck near Scottsboro last week has been placed on the desk of Gov. Graves. It awaits his return from Washington, probably Thursday.

Very few persons know what is contained in that report made by a committee of Convict Department officials on appointment of Gov. Graves. But many persons are interested in that report. For in a marked degree the reputation of Alabama outside the state will be influenced by the contents of that report and what action the governor takes upon it.

From without the bounds of Alabama have come criticisms of the carelessness and disregard for safety evi-

almost incredible tragedy. The
rection of the conditions which made
it possible.

There are hints that this secret report will state that the burning to death of these 20 men in a gasoline-bearing caged truck was an "unavoidable accident." Such a report would be a severe reflection upon a state that already has a notorious reputation for its treatment of Negroes in the light of one or two recent *causes celebres*.

The report now rests with the next step rests with Governor Graves. If he is sensitive to the indignation throughout this state and apparent

Alabama

Crime-1936

Governor Tells Inside Story Of Cremation At Scottsboro

Orders Investigation After Suspending Three Prison Guards

Gov. Graves yesterday asked for an official probe for possible "criminal negligence" and took steps to compensate the families of the 20 negro convicts who perished in a flaming prison transfer cage near Scottsboro last week.

Road Superintendent L. E. Gibbons, Guard Foreman H. Middlebrooks and Guard Phil Wasson were ordered suspended pending completion of the investigation which the Governor asked H. C. Hayes, county solicitor of Jackson County, to conduct at once.

The chief executive said he would not "fix the blame" until the investigation had been completed.

The official story of the tragedy was announced by the Governor after a lengthy conference with the official board of inquiry—Gaston Scott, State highway director; C. B. Rogers, director of the State Board of Administration, and Hamp Draper, chief of the Convict Department.

Twenty of the 22 negro convicts locked in the transfer cage were burned to death when 30 gallons of gasoline in a 50-gallon drum caught fire from sparks that fell from a piece of paper one of the convicts had lighted to warm his hands.

The chief executive said that the convicts were being transported to work to clear highways that had been blocked by an unprecedented snowfall.

How It Happened

"When the negroes were checked out at the Scottsboro prison camp, it was found that all the trucks were frozen except the transfer truck which had been used the day before to transport oil and gasoline," the Governor said.

"Because of the need for gasoline, and in the emergency, the gasoline was ordered carried along to operate a tractor. It is against regulations to carry gasoline and men on the same truck.

"When they started to leave, they put 30 gallons of gas in a 50-gallon drum that was already in the truck, and failed to remove a little open mouth five-gallon can that had been used to carry kerosene the day before for highway flares.

"The driver screwed the top down on the drum and warned the convicts not to bother it. But the group of negroes that were going to be put to work first wanted some gasoline to pour over some wood they carried along to have a fire while they worked. While the bus was in motion they took the top off the drum and poured some gas in the little can, planning to take it off the truck with them.

"In pouring out the gas, they spilled some on the floor. Then this convict Henry Alexander struck a match to light a piece of paper and warm his hands but one of the others knocked it out of his hands and warned him the gas on the floor would 'bust.'

"They rode on awhile and then Alexander struck another match and lit the paper. The flames caught the gasoline on fire, then the drum caught and they were burned."

The two guards who were suspended were credited with saving the lives of two of the convicts whom they snatched out of the back door of the truck and rolled in the snow to extinguish their burning clothes. The others were trapped in the front end of the cage and cremated.

Compensation Rushed

The Governor conferred with Secretary of State Howell Turner, chairman of the State Board of Adjustment, and asked him to take the lead in compensating the immediate families of the negroes.

The Board of Adjustment was created by the Legislature last year to handle claims against the State that previously were handled through "relief bills" in the Legislature.

The request for the board to take the initiative set a precedent, for custom calls for the claim to be presented to the board by the claimant.

"At the request of Gov. Graves," Turner said, "the Board of Adjustment will take immediate cognizance of and recognize as just the claims of the dependents of the unfortunate prisoners....

"The names of the nearest of kin have been obtained from the Convict Department. Letters were sent each that the State of its volition would through the attorney for the board and other agencies of the State immediately contact them, prepare their claims for presentation and render such other legal help as may be necessary. This information is given in order that the beneficiaries may know that it will not be necessary for them to go to any expense whatever in order to have their compensation awarded."

Members of the board declined to be quoted on the probable amount of compensation that would be awarded each family, declaring that such a comment would be prejudging the case.

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Facts About Cremation Of 20 Negroes Secret Until Gov. Graves Gets Back

Hamp Draper, chief of the Alabama Convict Department, returned yesterday from an investigation into the cremation of 20 negro prisoners near Scottsboro with the assertion it had been "definitely determined" which of the men struck a match that ignited a 30-gallon drum of gasoline in their cage-like truck Friday.

Draper returned with Gaston Scott, president of the State Highway Department, but neither would comment further on the investigation pending a formal report to Gov. Graves by an official board of inquiry.

Both men said they would confer tomorrow on "the various angles" of the fire, but denied there would be a revelation of their findings until the Governor returns the latter part of the week from Washington. Draper said the Governor ordered secrecy last night before his departure.

"We ought not to jump at any conclusions," Scott said, "and if we fix the blame officially on anyone we want to be doubly sure we're right."

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In addition to questioning the two surviving convicts, the board of inquiry yesterday heard H. M. Middlebrook and C. O. Wasson, white guards, on the truck.

Bodies of the victims were sent to their homes in prison caskets from Camp C, near Scottsboro, yesterday after the inquiry.

The board of inquiry was composed of Draper and Scott, H. D. Burnham, associate highway commissioner; Arthur Heustess, chief clerk of the State Board of Administration; J. D. Goddard, supervisor of convict operations, and J. R. Smith, supervisor of personnel for district one.

Norfolk, Va. Pilot
February 2, 1936

Fruit of the Chain-Gang System

The coroner who questioned the two survivors of the Alabama convict tragedy and investigated the circumstances in which 20 other Negro prisoners did not survive the fire in their truck-cage, returned a finding of "accidental death."

His reasoning is not revealed, but it might be possible to imagine it. Perhaps it was just chance that somebody decided to place a drum and a can of gasoline in the cage with the prisoners. Certainly it was unusual, and maybe accidental, that the temperature was five degrees above zero. If that is so, it might be conceived as accidental that the road was rough and slippery, thus causing the truck to slide and bump and slosh gasoline out of the containers. It would follow that the suffering of the prisoners from cold was accidental. It might even be considered sheer ignorance that led one of the prisoners to strike a match and light a piece of paper in order to warm his hands.

Add all these up, and it might be possible—indeed it is possible for the coroner—to conclude that not often would Alabama have just this combination of circumstances to deal with; and therefore, when the factors are combined, it is a mere accident.

If such attempts at tracing the reasoning of the coroner do him injustice, we regret it. He had nothing to do with the burning to death of 20 Negro prisoners. Other men were more intimately associated with this terrible torture. Other men devised this ingenious cage, loaded it with explosive, subjected prisoners to severe cold without any adequate protection against it, and thereby encouraged (or certainly did not prevent) the undeniably risky but desperately pitiful attempt to keep warm—with a piece of burning paper! Whether the men who did these things acted criminally, as the law defines criminality, we do not know. But they had these helpless Negro prisoners in their charge, and were responsible for them. Their care, their protection, their guardianship is written in 20 crisp bodies.

But not even the greatest blame rests on the guards who did not guard and protect. It rests squarely on the chain gang system of the South. It is not a death here and a death there that counts most. It is not beatings in Georgia or frozen feet in North Carolina. It is not rotten food and rotten clothing. It is not a bullying Florida camp boss who is the real issue. It is not even a funeral pyre in Alabama that takes 20 lives at a time. It is the whole chain-gang spirit: the system of carelessly turning over prisoners to ignorant and poorly paid guards whose brutality mounts with experience; of forgetting all about the prisoners and trusting to blind luck that they are getting along all right; of making no effort to provide what they need; of permitting and encouraging and developing cruelty as a natural and inevitable concomitant; and of ignoring the primary principles of decency and the first lessons of penology.

That is the problem which today stares Alabama straight in the face; and, along with Alabama, every Southern State which relies on the chain-gang as the answer to its penal needs. There is no accident about it. As long as the chain-gang system remains, the tragedies will continue to humiliate and shock.

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Birmingham, Ala. News
February 6, 1936

The State's Responsibility In The Prison-Truck Tragedy

Last Friday 20 Negro convicts were burned to death near Scottsboro in a locked, wire-enmeshed prison truck when a drum of gasoline being transported in the cage-on-wheels became ignited. The lives of two other Negro convicts were saved by the brave action of the two guards in charge of the truck, who suffered burns themselves in helping the two prisoners to safety and extinguishing the flames which enveloped them.

A coroner's inquest was speedily held the same day, and a verdict of "accidental death" was returned.

Gov. Graves promptly ordered an investigation of the tragedy, sending Hamp Draper, head of the Convict Department, and Gaston Scott, chairman of the Highway Commission, to the scene of the disaster.

Saturday an official board of inquiry made an investigation. On this board, in addition to Messrs. Draper and Scott, were H. D. Burnum, associate highway commissioner; Arthur Heustess, chief clerk of the Convict Department; J. D. Goddard, supervisor of convict operations, and J. R. Smith, supervisor of personnel and manager of Division 1. On its adjournment, the board announced that nothing of the findings would be made public except through Gov. Graves. The official report on the tragedy now awaits Gov. Graves' attention.

About all that is known of the investigation is that it had been "definitely determined" which of the convicts struck the match that ignited the drum of gasoline. Earlier it had been explained that one of the convicts struck the match to light a piece of paper in order to warm his hands. It is hard to see how the identity of the convict who struck the match matters in the least in placing the blame for the tragedy. The blame must rest upon the official or officials who ordered the transporting of a drum of gasoline in a locked prison cage containing 22 convicts. Behind that, the blame must rest on the system of using such cages in the transfer of convicts.

Since the end of last week there has been no development in the case. It is unfortunate that publication of the report on the investigation has had to be delayed, though this no doubt was unavoidable on account of the governor's absence from the state.

Whatever the report of the board of inquiry contains, one thing is certain, and that is that it will not satisfy public opinion in Alabama, and outside the state, for the mere explanation that it was an "accident" to stand. Of course it was accidental. But as *The News* said at the time, and again insists, it was an accident due to human neglect and error, and the blame for the conditions which permitted such a horrible tragedy to take place ought to be squarely placed. Moreover, those responsible, directly or indirectly, should be punished for their negligence in an appropriate way.

It will not do to have a merely perfunctory investigation and report on this shocking disaster. The blame must be fixed and those responsible for this criminal carelessness punished, not merely as a matter of justice, but also to make an example of this case which will assure that never again shall there be another such tragedy, due to human neglect and error.

This case is so grave, both in its tragic aspects and in its reflection on the manner in which the state of Alabama handles convicts, that it cannot be dismissed merely as an accident. In addition to fixing the blame in the disaster, the state should see to it that the system of transporting prisoners in such cages is abandoned.

Most convicts are transported in open trucks, carrying a sufficient number of guards to prevent escapes. The excuse for the use of the prison cage in this instance was that these were desperate convicts. If it is impossible to guard desperate convicts adequately in open trucks, then such prisoners should not be put on the roads, but should be kept in one of the state's penitentiaries.

Concerning the transportation of convicts in open trucks, it is pertinent to quote from an Associated Press account of the disaster:

"Most prisoners used on the roads are transported to and from work in open trucks, sitting on the edges of the body in good weather, and crouching behind the sides in cold to protect themselves from wind and cold.

"It is not unusual to see a group of convicts strung along main highways for 200 to 300 yards, while a guard stands nonchalantly at each end of the group. Other convicts assigned to road camps drive the trucks without guards, frequently having helpers to load and unload with them. And Capt. Frank Boswell, of Kilby Prison, said Friday escape attempts are few and escapes fewer."

Thus experience has shown that it is not necessary to use prison cages in transporting convicts. The practice should be ended at once and forever in Alabama, after last Friday's tragedy.

In the event that the report by the board of inquiry does not go deeply enough into this case, it would be well for the Legislature, which is soon to meet in special session, to order a legislative investigation. Perhaps it would be well for a legislative commission to make an inquiry into the disaster in any case.

Birmingham, Ala. News
February 8, 1936

The Governor's Action In The Convict Tragedy

On his return to the state, Gov. Graves promptly gave his attention to the report of the board of inquiry on the burning to death of the 20 Negro convicts who were trapped in a prison truck in which a drum of gasoline had become ignited. Immediately the governor ordered the suspension of three state employes, pending completion of an official probe to determine whether or not the case involved "criminal negligence."

At the same time, Gov. Graves took the highly commendable action of requesting the State Board of Adjustment to compensate the families of the 20 convicts. Of course, there can be no adequate compensation to these families for the lives lost, but the least the state can do is to make such monetary awards as the Board of Adjustment deems proper. The fact that the governor has himself taken the initiative in this matter betokens his deep concern over the tragedy and his desire to see everything possible done in the way of justice to the families. This action on his part is especially praiseworthy, in view of the fact that it is the custom for claims against the state to be presented by the claimants, rather than for the initiative to be taken by the state.

Equally apparent is the governor's desire to see justice done in the way of placing the blame for the tragedy. Quite properly, however, he will refrain from fixing the blame until the investigation has been completed.

That there was negligence, and that there was, in fact, violation of prison regulations, is clear. The governor points out that it is against regulations to carry gasoline and men on the same truck. This was done in this case, it has been brought out, because of an emergency situation. The convicts were being transported to work to clear highways that had been blocked by snow. It was found that all the trucks at the prison camp were frozen except the caged transfer truck. "Because of the need for gasoline, and in the emergency," Gov. Graves' statement says, "the gasoline was ordered carried along to operate a tractor."

But was this emergency so serious as to warrant the violation of the regulations? That is a question which will have to be decided by the governor. It must be granted, at any rate, that the fact that there was an emergency constitutes a mitigating circumstance. The question of how much weight this mitigating circumstance should carry must be determined by the governor. As deplorable as this disaster was, and as much as the negligence which was responsible for it is to be condemned, it must be borne in mind that hindsight is always much clearer than foresight after an accident.

There may be another mitigating circumstance, with respect to the two guards who accompanied the truck, and who were among the three employes suspended, in the fact that, when the fire started, they strove heroically to save the lives of their charges, and succeeded in saving two of the convicts, at the pain of suffering burns. How much weight should be given to this fact is likewise a question for the governor to decide.

Gov. Graves has a difficult responsibility in determining these questions. What should be clear above all else, however, is that after this there should never again be such a violation of regulations as that which resulted so tragically in this case, and that the use of caged trucks for transporting convicts should be abandoned.

Crime - 1936

Arkansas.

Strange Case Of Enoch Suter

Asheville N. C.

ON THE face of the narrative as it comes from Raleigh, the state has dealt with Enoch Suter, Negro, of Asheville, in a most extraordinary manner.

Times 4/2/36

Last July, in Buncombe Superior Court, Suter was convicted of robbery with firearms and sentenced to State's Prison five to seven years.

On discovery of evidence that Suter was an innocent victim in a case of mistaken identity, Solicitor Zeb V. Nettles related the facts to Pardon Commissioner Edwin Gill and Tuesday of this week Suter was paroled—not pardoned but paroled, and required to report regularly to welfare officers, as all other paroled persons do.

States have been known to make restitution, as far as possible, to the innocent wrongly imprisoned. In this case the prisoner not only gets nothing as recompense (so far as appears in the announcement), but his release from prison is absolutely conditional.

The Associated Press made special inquiry before stating that Suter is required to report at intervals, after the manner of all others paroled by the state. Apparently, therefore, if Suter should be guilty of any transgression whatsoever against the law, he could be arrested and, without trial and entirely by virtue of his status as one paroled, could be taken again to State's Prison.

The Times has the highest admiration for Parole Commissioner Gill, and for the manner in which he discharges the arduous duties of his position. But we must confess to wonder in the case of Suter. Why, if he is innocent, was he not pardoned outright? Do the Commissioner and Governor Ehringhaus think that if Suter is not a criminal he ought to be?

RUSSELLVILLE, ARK.

COURIER DEMOCRAT

MAR 20 1936

We have long been of the opinion that an acting governor should not be permitted to exercise the veto power. In times past lieutenant governors have flagrantly violated this privilege by granting a bunch of pardons when called to the office for a day or two during absence from the state of the governor. This abuse was partially stopped when we made the lieutenant governor an elective office four years ago, but even now if both the governor and lieutenant governor are absent from the state the president of the senate or the speaker of the house becomes governor temporarily. Speaker Harve Thorn, governor in the fourth degree, was called to the executive chair Wednesday when not only the governor and lieutenant governor; were absent from the state, but also W. F. Norrell, president pro tem of the senate, who would have been next in line as acting governor. Thorn commuted a death sentence to life imprisonment, commuted a life sentence to six years, granted a furlough to another life termer, and granted other furloughs and a stay of execution. The death sentence of Andrew Hefley, Cross county Negro convicted of wife murder, was commuted to life imprisonment, even though there was on file in the governor's office a petition signed by 97 persons protesting against interferecne with the death penalty, and describing the murder as a "ghastly crime." No matter how meritorious these clemencies may have been, immediate action was not important and they could have awaited return of the governor or the elected lieutenant governor.

JACKSON, MISS.

CLARION LEDGER

MAR 19 1936

Guilty Plea And No Defense But The Jury Said "Not Guilty"

Many a judge, prosecutor, defense lawyer, and defendant has wailed the truth that "nobody knows what a jury will do," but we have seldom seen so obvious a case of idiocity by jurors as was reported from New York this week. A negro, charged with burglary, offered a plea of guilty. The district attorney refused to accept the plea and forced a trial. The accused offered no defense. The evidence against him was strong and conclusive. But the jury, after brief consideration, returned a verdict of "Not guilty."

A shocked judge verbally chastised the jury thus:

"You're certainly a group of dumb jurymen. You heard him admit his guilt and then you come back with this verdict. I'll direct that your names be stricken from the jury list. Get out of this courtroom."

They got out, but so did the defendant.

"CHAINGANG HORRORS" IN SOUTH CAROLINA

Some time ago, a colored convict escaped from the Aiken county chaingang. He went to New York where later he was apprehended. Extradition proceedings by South Carolina to have the man returned were instituted. An attorney was employed by the fugitive to appear before the Governor of New York in an effort to prevent the Governor from allowing the convict to be returned. The attorney in his plea before the Governor pictured the South Carolina chaingang as being even worse than the reputation of a "Georgia Chaingang." He was eloquent of the horror, cruelty and unhuman treatment visited upon unfortunate prisoners.

While the attorney might have been a little too imaginative insofar as South Carolina chaingangs as a whole are concerned, yet they are not so fine so that anyone ought roll up his sleeves and fight in defense of them. What chaingang system any where is worth defending. But South Carolina's house of Representatives does not like what that attornew said; so it straightway took up its time in passing a resolution saying among other things "that it is the policy of this government to treat its convict in a most human manner" as if anyone anywhere could possibly think that this state could have any other kind of policy. The trouble however with all good policies is to get men who believe in understand and practise the policies. Surely, no one careful of his words would say that this state or any other for that matter, is able to get such men as chaingang guards.

The escaped convict was from Aiken county. Maybe, the only thing that attorney know of Aiken was the notorious lynchings of the Lownans—three of them, one being a woman—about 9½ years ago. They were not convicts, one in fact, had been acquitted and the other two still on trial. The lawyer, perhaps, just couldn't see how Aiken county could be so kind and considerate to convicts and yet so ruthless, cruel and inhuman to those who were not convicts, and it certainly "is the policy of this government" to treat its citizen fairly and in a humane manner.

NEGRO STUDIES CRIME IN RELATION TO RACE

Constitution

Former Pickpocket Plans Revival Here To Reduce Criminal Records.

4-16-36

Under present economic and social conditions, it is six times as dangerous to be born black as any other color," according to Rev. William Lyles, negro, self-styled "former pickpocket and confidence man," who for the last 11 years has studied crime among negroes in several of the country's larger cities.

Lyles states that 37 per cent of the prison population in this country is negro, though the colored race represents only about 6 per cent of the total population. He has outlined what he thinks are the principal reasons for negro criminality. In addition, he believes he knows ways of preventing it.

Though today an ordained Baptist preacher, Lyles says he has served prison terms at Joliet and at an institution in Kentucky. He organized the Hope Haven League, Incorporated, at Chicago, for the care of penniless ex-convicts, soon after his conversion. He now lives at 273 Auburn avenue, N. E., and has been studying the negro criminal life here since July.

"Negro life is cheap," he declares. "If a negro plans to kill another negro he says to himself, 'I'll only get about six months.' And too often that's the case. Many times white juries figure that's all he ought to have for killing a negro."

Other reasons given by Lyles for negroes committing crimes are lack of money to hire attorneys; ignorance of court procedure and their legal status; lack of organizations, other than schools, for moral development, and lack of education.

"Another thing, there ought to be negro officers in densely-populated negro sections," he suggested. "Blood is always thicker than water. Many negroes won't squeal on a friend."

To improve such conditions among his race, Lyles said he intended compiling many statistics and holding a revival here in "some negro section" next month. He not only intends to appeal to the criminal element to reform by outlining spiritual reasons, he said, but also by showing them the impracticality of crime.

GREENSBORO, N. C.

RECORD

APR 4 - 1936

Doesn't Make Sense.

Last July a young Asheville negro named Enoch Suter was convicted in Buncombe Superior court of robbery with firearms and sentenced to serve five to seven years in state's prison. Later evidence revealed that Suter was innocent. It was a case of "mistaken identity," the Buncombe solicitor informed the state pardon commissioner.

This week the Governor, presumably at behest of solicitor and commissioner, signed a release for the prisoner—but it was a parole, not a pardon. Although now on the outside of walls and bars the negro is required by the law under which paroles are granted to report to the court at intervals and show good conduct.

This doesn't make sense.

If the negro is innocent, and the facts indicate he is, he ought to be granted a pardon outright and permitted to go his way. Would the state make Enoch a criminal, regardless?

ARKANSAS CONVICTS GRANTED CLEMENCY

Paroles Granted to 34 by the State Penal Board

LITTLE ROCK, May 4.—(AP)—The state penal board granted paroles today to 34 convicts including 21 white men, 10 negro men, one white woman and two negro women.

Those receiving paroles, the counties in which convicted and date of sentence follow:

Terry Bryant, Pope, burglary and grand larceny, two years.

John D. Baker, Sevier, embezzlement, one year, Nov. 8, 1935.

Allen Bagley, Searcy, involuntary manslaughter, one year, Nov. 23, 1935.

S. F. Boling, Mississippi, manslaughter, four and a half years, Oct. 1, 1934.

Otis Dordon, Chicot, assault to kill, three years, March 13, 1935.

Maurice Garrett, Craighead, grand larceny, one year, Oct. 9, 1935.

R. G. Gray, Pulaski, grand larceny, two years, Sept. 12, 1935.

Gus Hyde, Craighead, forgery and uttering, five years, May 10, 1934.

Otis Herzele, Pope, burglary and grand larceny, three years, Jan. 30, 1935.

Chester Mathis, Pope, burglary and grand larceny (term not listed), sentenced Jan. 30, 1935.

Ray Miller, Pike, burglary and grand larceny, three years, March 20, 1935.

Osmer Martin, Craighead, grand larceny, 18 months, April 27, 1935.

Olen Moody, Lawrence, assault to kill, one year, July 26, 1935.

Wilbur Noblin, Benton, burglary and grand larceny, two years, March 28, 1935.

Mike Ozbuskosski, Sebastian, burglary and grand larceny, two years, Dec. 16, 1934.

Ray Peek, Pike, burglary and grand larceny, three years, March 20, 1935.

Sam Percell, Howard, possessing liquor, two years, March 8, 1935.

Carl Pedigo, Craighead, murder, two years, April 20, 1935.

Joe Wapinnick, Pope, grand larceny, one year, Nov. 20, 1935.

C. R. Wright, Pulaski, forgery and uttering, three years, May 1, 1934.

Raymond Wagner, Pope, burglary and grand larceny, three years, Jan. 30, 1935.

Ethel B. Morgan, Clay, manslaughter, five years, June 19, 1934.

Odessa Carter, Union, grand larceny, one year, Jan. 2, 1936.

Susie Paschal, Mississippi, murder, seven years, Oct. 23, 1933.

John Broadway, Lee, burglary and grand larceny, three years, Oct. 20, 1934.

Aaron Foster, Pulaski, manslaughter, two years, Jan. 30, 1935.

Smart Johnson, Ashley, grand larceny, one year, Nov. 11, 1935.

Henry Mitcham, Sebastian, receiving stolen property, two years, March 11, 1935.

A. G. Muldrew, Miller, manslaughter, five years, Sept. 7, 1934.

Lacy Percell, Lincoln, grand larceny, one year, Nov. 25, 1935.

Walter Robinson, Drew, burglary and grand larceny, one year, Sept. 19, 1935.

Lawrence Smith, Clark, burglary and grand larceny, two years, July 31, 1935.

Adell Staples, Union, grand larceny, one year, Oct. 12, 1935.

Pete Turner, Howard, grand larceny, one year, Sept. 11, 1935.

LITTLE ROCK, ARK.
GAZETTE

JUN 17 1936

LOANS THAT MAKE ECONOMIC PEONS AND SLAVES.

It is hard to believe that a Negro workman who borrowed $45 from a loan company repaid $1,500 over a period of five years. But Ed I. McKinley Sr., state labor commissioner, says he has such a case in his files. On the terms stated, that loan cost the borrower more than 33 times what he received originally. And Prosecuting Attorney Fred A. Donham states that a Negro woman told him she had been paying "interest" of 75 cents a week on a $5 loan for more than two years. She paid back more than 15 times what she got, and in a five-year period she would have paid back 39 times what she got, as compared with the man who paid 33 times over.

Loans to people with little or no property and only uncertain income necessarily bear high interest. There are legitimate concerns that handle such loans at reasonable rates considering the risk involved. But what would be thought of a grocer who sold a Negro laborer a pound of bacon on terms that would make it cost him $10 before he got clear of his debt?

Loan transactions of that sort make economic slaves and peons of the victims. Excessive and crushing usury is as old as mankind's civilization. It constitutes for Little Rock and Arkansas a problem we have got to work on. It seems that the 1927 legislature gave the authorities a valuable weapon against "loan sharks" when it armed the state Banking Department with power to go after them through examination of their books. Public opinion will be unitedly behind Bank Commissioner Marion Wasson, Labor Commissioner McKinley and Prosecutor Donham in their move to audit and investigate the records of certain loan offices, and in any further action for the protection of borrowers from excessive interest charges which they may find it necessary and possible to take under the law.

Bradenton, Fla., Herald
November 25, 1936

Southern Justice

Some residents of the north are fond of saying that the negro can never get even the shadow of justice in southern courts. They should take a look at a little case recently concluded by the Arkansas supreme court.

A white man was arrested for stealing two hogs from a negro. He was tried in Arkansas before a white jury, with the negro as the principal witness against him. The white jury convicted him and a white judge sentenced him to a year in prison.

The defendant took the case to the Arkansas supreme court; and it has just upheld conviction and sentence, remarking pointedly that the federal constitution gives the negro full rights of citizenship, that a white jury believed the negro's story, and that the convicted man deserved what he got.

Now this is the sort of thing which, according to some northern critics, just couldn't happen in a southern court. But it did happen—and one suspects that it happens much more often than northern critics are willing to believe.

Crime - 1936.

Delaware

NEGROES ARE WHIPPED FOR STEALING CHICKENS

WILMINGTON, Del., March 7.—(UP)—The strands of a cat-o'-nine-tails bit into the bared backs of four confessed negro chicken thieves today at the New Castle workhouse.

Fifteen times the lash, in the hands of Warden Elwood H. Smith, descended on each of the dusky backs, turned blue by a biting wind.

Secretary of State Dent Smith was among a score of witnesses.

The prisoners flinched and groaned as the long whip swished. When the punishment was completed physicians were called to treat the wounds.

Those whipped were Clarence Clayton, Jacob Townsend, James Wilson and Leonard Banks. In addition, they were given prison sentences—Clayton two years; the others 16 months.

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Crime – 1936

D.C.

Number of Negroes Arrested In D. C. Less Than Population Pct.

Journal and Guide Bureau

WASHINGTON, D. C. — While the ratio of the total arrests of colored persons to whites in the District of Columbia is less than the proportion of population, the percentage of arrests of colored persons for serious crimes is three times as great as the relative population, according to the annual report of Major Ernest W. Brown, superintendent of police for the fiscal year ended June 30, recently made public.

The police statistics attached to his report show total arrests of 144,771, of which 44,820, or about 31 per cent, were colored. There were a total of 5,269 arrests for felonies. Of that number 3,743, or about 71 per cent were colored.

The largest number of colored persons arrested for felonies were charged with robbery.

The next largest group were charged with joy-riding. Arrests on charges of operating lotteries in connection with the numbers game ranked third in felonies among colored persons; and murder ranked fourth.

Social Justice Here

(Reprinted from Tuesday's Tribune)

While Washington, D. C., is the best city in this country for Negroes, we do not enjoy anything like the full social justice that one might think should be the rule in the nation's capital.

As an example, we have two interracial committees here. One of them, headed by the indomitable "never-say-die" Charles Edward Russell, is preparing to go to the commissioners of the District to ask them to issue an order prohibiting police brutality here and punishment of policemen, who overstep their bounds as guardians of the law. (The commissioners perform the function of the mayor and city council of Washington.)

This subject of police brutality toward Negroes, is a vital one, when we think of the slaying of 40 Negroes in the past 10 years, by members of the police force, along with other outrageous indignities perpetrated upon Negroes by the police. We can clearly see the lack of social justice where the police are concerned.

We would feel our burden much lighter, if police brutality was all of the social injustices. Unfortunately, that is not all by a long shot.

While on the subject of police, the interracial committee might call the commissioners' attention to the fact that the police have collected about $22,000 from the public for a colored boys' club which has not materalized, but, four clubs have already been established for white boys. However, the juvenile court records show that about 75 per cent of cases of boys, coming before that court were Negro boys. Yet, the 25 per cent are given four clubs and the 75 per cent, not even the one for which $22,000 has been collected. Will the commissioners order that club opened right away? That is one evidence of how social justice becomes injustice here.

Then there is much social injustice meted out to the Negro by the commissioners themselves, in the W.P.A. program. And in the matter of District employment, the commissioners are the offenders by inflicting social injustice upon the Negro applicants for employment. This situation is flagrant.

The commissioners continuously deny full social justice to the Negro, by refusing to establish a comfort station in the U Street section of northwest Washington.

The social injustice as meted out, by the Board of Public Welfare, under Ellwood Street, is very evident, and especially through the P. A. D. section.

We suffer social injustice through enduring separate schools, churches and public places of business and amusement.

While we are admitted freely to the public library, we suffer the social injustice from exclusion from working there.

And by the President of these United States and his administration, we are forced to suffer social injustice in every government department here, from the White House on down.

There are even sections, streets and blocks, here in the nation's capital, where Negroes cannot purchase homes. There are stores here where the Negro is not welcome as a customer.

Social justice is a misnomer in Washington, and the Christianity which should warrant it, in this lauded christianized nation, is only a mockery.

The interracial committee has a long, hard fight before it and it can only hope to gain by inches, at the time. American race prejudice is the most damnable obstacle to social justice here as elsewhere in this country. There is a perpetual fight ahead and it will require strong wills and persevering spirits to continue to press the fight and never say die.

Crime-1936

Florida

Cop Says He Was Two-Gun Man In Colored Miami

By RICHARDSON

MIAMI, Fla., Oct. 22.—(ANP)—"Yes, I carried two guns when I was in 'Nigger-town.'" With this illuminating declaration of the police department's attitude toward the tax-paying residents of Miami's colored section, a special member of the local force added damaging testimony in the case against four policemen who are facing ouster proceedings. Among the crimes attributed to the quartet are charges of brutally beating Mack Williams, a Negro, and nearly putting out one of his eyes.

The ouster proceedings against the men—one of them was formerly a chief of detectives—has been going on for several days. The testimony of Williams in the hearing was heard early in the week, and was the center of a concerted attack by attorneys for both the accused policemen and the city officials seeking to oust them. Several times the prosecutor declared that "I don't want to be placed in the position of defending this Negro."

Luther Collins, the white "special investigator" who carried two guns in nigger-town," admitted on the stand that he was employed for several months as a bodyguard for a wealthy Negro named Dorsey. Dorsey was recorded as "that rich nigger from North Miami" by attorneys in the hearing.

DeLand, Fla., Sun News
December 21, 1936

Fingerprint Miami Negroes, Whites Are Not Molested

Aim Is to Woo Northerners From Notion of Employing Colored Help By Creating Suspicion.

MIAMI, Fla., Dec. 3—(By Richardson for ANP)—Fingerprinting may be all right for Negroes, but it won't go for white people, was the effectual declaration of Miami officials this week as Mayor Fossey and several other solons deserted the measure they had supported last year when it only applied to members of the Negro race.

The fingerprinting measure had been invoked last winter in an obvious effort to engender distrust in the minds of white tourists who had shown a preference for Negroes in domestic work here. At the time it was begun it provided for the fingerprinting, photographing and classification of domestic workers at the police station, and the carrying of South-African style passes by such workers.

The new law met a storm of opposition, however, when it was mentioned by some of the city fathers that a law of "domestic workers" must also include white women who work at barbecue stands and hotels. The controversy lagged, however, until this year, when the coming of new tourists brought out the unfair measure again.

Notable among those who deserted the law this year were Mayor Fossey and Commissioners Orr and Williams, the latter two believed to have been co-authors of the infamous legislation. It had not been officially withdrawn early this week, however.

Mayor Price and Police Chief Of Ormond On Trial In County Court

Mayor Hubert Price and Police Chief Whitehurst of Ormond went on trial this afternoon in the County Court on charges of assault and battery which were made after they broke up a mixed meeting of white and colored federal workers in an Ormond Negro lodge hall last September.

A. W. Trainor, official of the Federal Workers Union, brought the charges, and, after a jury is selected, probably will be the first witness to take the stand.

Other witnesses called by County Prosecutor Byington are Mrs. Dolly Crawford, Ruby Davis, Ed Malmberg, Mack Roth, and Fred Booth.

The jury venire is W. E. Hawkins, R. H. Brown, G. B. Borrows, Ray Chedster, W. B. Hickson, R. C. Carroll, C. D. Dowling, E. J. Remley, R. F. Lumpkin, F. J. Doyle, J. E. Shipes, and W. E. Baldwin.

County Judge Ollie Edmunds of Jacksonville will be on the bench, Judge Peacock having been disqualified, and Attorneys Sam Dighton and Walter Shelley of the firm of Hull, Landis & Whitehair will conduct the defense.

Crime-1936 General.

BELLEVILLE, ILL.
NEWS-DEMOCRAT
JUN 9 - 1936

TUESDAY, JUNE 9, 1936

To Appreciate the Status of a Convict on Parole, It Should Be Understood That He Is Still a Prisoner of the State Serving Out His Sentence.

General impressions and actual facts do not always coincide.

We had this truism brought home to us recently in discussing the parole system with an official of one of the largest penal institutions in Illinois.

While we had not subscribed to the prevailing idea that from 75 to 90 per cent of paroled prisoners were habitual criminals and were back in the toils for new crimes soon after their release, we were surprised to hear from this prison authority that less than 30 per cent fail to go straight when given the chance.

We are glad of the opportunity to repeat this statement to the effect that a big majority of the men and women who have been given parole privileges in this state have kept the rules, reporting regularly, have obtained respectable occupations, and are steadfastly endeavoring to lead honest lives.

It is very possible that the accepted conception that a large portion of parolees continue a career of crime immediately upon gaining freedom, is due to the fact that great publicity is given to the re-arrested prisoner, while the 99 who go straight are never heard of again by others than the custodians.

To appreciate the status of a convict on parole, it should be understood that he is still a prisoner of the state serving out his sentence.

The only difference between him and those still confined in the institution, is that he occupies for the time being, the role of a special privileged trusty.

The popular notion that a paroled prisoner is certain to revert back to a life of crime is on a parallel with the view taken by a majority of people a few decades back, that the records abounded with cases in which the death penalty had been inflicted on innocent men.

Tales of this sort were rampant in the last century, but when run down to their source, it was usually discovered that any authentic cases of the legal execution of innocent persons dated back two to three hundred years.

It is significant that when the opponents of capital punishment are speaking, the conversation invariably switches to events that occurred in the Eighteenth and early Nineteenth Centuries.

They break into tears over some hanging at Tyburn and the drastic and cruel laws of the days of our great-great-grandfathers.

The laws and occurrences of those days have little relation to the criminal procedure of today in which the dice are loaded in favor of the accused.

The more one investigates the criminal trials in this country for the past fifty to one hundred years, the more difficult it is to find one established and undisputed instance of the execution of an innocent person.

In these days it is a very intricate and difficult job to have the death sentence imposed on an admittedly guilty party.

Lynch law may be rseponsible for the murder of a few innocent persons, but the courts do not err in this direction.

Parole boards cannot be 100 per cent perfect, and there is no question that they do parole men at times who, while maintaining a good prison record, do so solely with the intent of getting out and resuming crooked ways.

Figures are facts, however, and any system that will reclaim for respectable society 75 per cent of those who have made a mistake, is not utterly to be condemned.

CRIME AMONG NEGROES

To the Editor of The Telegraph and News:

I have tried to keep silent on the question of crime among my people in Macon but for humanity's sake I will not hold my peace.

It seems that our people have gone wild. Week after week there has been drunkenness, theft, bloodshed and murder of almost every kind. The time has come when some one should speak out against these evils.

This condition did not exist in the days of our slave parents. They were men and women who were filled with holy endeavors and had high ideals for their children. They did not know letters but they built churches and saw that their children went to school, such as they had in their day.

They went to church themselves and carried their children, worked hard to give their children a knowledge of the true God. As a consequence they made a great reputation for themselves and the race.

Our early fathers married their children off honorably, and filled the churches with ambitious young people.

Something has gone wrong here of late. Our education may be all right but we as a group are not measuring up to our opportunities. There s a missing link somewhere.

Our young people have lost their ambition and are satisfied to live at the foot of the mountain. They have lost their respect for the church, lost interest in themselves and do not have any respect whatever for the holy Sabbath.

That is why our people have become murderers. Any people who forget God will drift to the very bottom.

The conditions have become alarming in Macon, and there should be a getting together of the thoughtful people to help suppress crime among our group.

We often talk about what someone is doing to us, but we seldom speak of what we are doing to ourselves and our posterity.

We must organize if we would save our people. There was a time when the most of the crimes were among those who were unknown to the most of us. Therefore we did not do anything to stop it. As a result it has come out on the front streets even at our door and unless we do something to stop it it is going to come into our so-called Christian homes.

The minister, the teacher, the professional man and the thoughtful parent should unite and find some way to stop crime among our group. Again this thing is alarming.

The good white people, the Christian white people, will have to help us if we save our people from a mighty fall because we are surely headed that way.

The courts cannot stop this crime. It is going to take the church. The many crimes that are committed among Negroes are not only affecting Negroes but they are affecting white people as well because the world is reading of the crimes that are being committed in America and the whole country will be branded.

The people throughout the state and country are watching Macon's criminal record, and both

races are going to be judged.

Our group delights to follow the white people. But we have too many and do not come in touch with the God-fearing white people of this city, and do not know anything about the high religious ideals which they hold and their many noble endeavors. They see those who encourage liquor dens and who patronize them. Our people feel that they are right because these white people patronize them.

The Negro dives are affecting both races. As I have said, they afford a den for white people, white boys and men. Many a white family is in poverty today as a result of a colored whisky den. I pray God that the Christian white people will help us to show our people the way out.

Read the criminal record and see how badly we need help. Our people will hear the white citizens if they will put themselves to a little trouble. As I have said, the courts will never suppress crime. It is going to take the Bible and the Spirit of God.

There will be no change in the criminal record of Macon as it relates to our people until they return to the church.

I firmly believe that this whole world will wax worse and worse until we recognize the God of Heaven.

Again I plead with our people to get together and find some way to stop this bloodshed in Macon.

J. T. SAXON.

Macon.

Atlanta, Ga. Constitution
August 1, 1936

DOING GOOD WORK

With crime costing the nation approximately $15,000,000,000 every year, it is gratifying to observe that enlargement of the sphere of activity of the Federal Bureau of Investigation is resulting in an increased apprehension of the criminal element, which scurries from one state to another in committing overt acts or in an endeavor to escape apprehension.

From a report of the bureau for the fiscal year ending June 30, we learn that 3,905 convictions were secured in cases wherein federal special agents performed investigative work; sentences imposed totaled two deaths, nine life, and a total of 11,067 years. Total value of recoveries effected and savings to the government, individual citizens and corporations amounted to $34,708,815.39, whereas the expense of operating the bureau during the year was approximately $5,000,000.

During the year 2,496 stolen motor vehicles, valued at $1,025,206.01, were recovered, and since the enactment of this law in October, 1919, a total of 42,121 stolen motor vehicles, valued at $26,043,515.73, have been recovered in cases in which the bureau performed the investigation work.

Since the passage of the federal kidnaping law, June, 1932, agents of the bureau have worked on 65 cases, resulting in the conviction of 158 persons and the holding in custody of 15 more now awaiting trial. The bureau has solved every kidnaping case in which it has performed investigation work, and has secured 31 life sentences, four death sentences, and other sentences totaling 2,113 years; three culprits committed suicide, five were killed, six died by murder at the hands of their own gang members, and two were lynched.

Under the act making it a federal offense to rob or attempt to rob a national bank, or one protected by the federal deposit insurance law, bureau agents during the past fiscal year secured 73 convictions, sentences imposed being one life and others totaling 1,127 years. As a result of these activities, insurance companies reduced their rates 20 per cent in 35 states.

As of the date of the report the bureau had on file 6,094,916 sets of fingerprint records, and there were 9,904 law enforcement agencies co-operating by contributing criminal identification data.

This brief recapitulation of the federal bureau's activities and accomplishments reveals that under competent supervision Uncle Sam is determined to make it difficult for the criminal element to continue to practice its nefarious trade and remain clear of deserved punishment.

ANNISTON, ALA., STAR
AUG. 2, 1936 A5

Education And Racial Conflicts

Calhoun County has had more than its share of racial disturbances during the last few weeks and all thoughtful citizens of the county have been giving consideration as to how the incidents that have brought these conflicts about may be averted in the future.

According to the Southern Interracial Council, the nearest approach to a certain remedy for crimes by Negroes against white women and the lynching of Negroes by whites is education. It has been shown, for instance, that only one graduate of Tuskegee Institute has ever been jailed for any offense against the law and none ever accused of a social crime involving a white woman. Moreover, no graduate of the Birmingham Negro High School, which has an enrollment of more than a thousand students, has ever been convicted of a major offense against the law. Lynching and illiteracy also go hand in hand, according to investigations that have been made.

Hence, here is a problem that is posed for the consideration of both whites and blacks. Negro ministers and teachers should make it their business to caution their people against any attempt to establish relationships of familiarity with white persons and the responsible white persons of the South should make it their responsibility to see that a larger measure of educational opportunity is extended to whites and blacks alike. Otherwise the crime tax will be much greater than the educational tax and society as a whole will suffer.

URGES BAN ON RACE ANGLE IN CRIME REPORTS

N.Y. Paper Sets Exampl NAACP Scores

NEW YORK CITY, Sept. 11—The Associated Press, the United Press, the International News Service, and 268 newspapers in all parts of the United States and circulations of 10,000 and over have been asked by the NAACP to follow the example of the New York Evening Post in banning unnecessary reference to the racial identity of persons accused of crime.

Defender Sets Precedent

The Chicago Defender was first to urge the banning of such unnecessary racial reference and also the first newspaper to eliminate the word "Negro" and "Colored" except in the use of proper names.

In its letter, which is accompanied by the full text of the order issued recently by the Evening Post following a protest by Walter White, secretary of the NAACP, the association points out that its request is an entirely reasonable one and that compliance with it would materially to disabuse the public mind of the erroneous belief that members of the race are more given to crime than other races. The association also points out that between one and two million Race members as a conservative estimate are purchasers of newspapers and that this not inconsiderable number of patrons have a right to ask that their race be not held up improperly, untruthfully and unduly as criminals.

In making public the sending of this appeal to the press the NAACP asked the active aid of Race members and fair-minded white Americans in this crusade.

SOUTHERN "JUSTICE" BAFFLES

The most baffling problem of Southern Negroes is finding the key to justice as administered in their local communities.

A Negro steals three chickens and gets ten years. A Negro in cold blood kills the most useful and ablest Negro in a city and gets two years with a lightness and humor that implies approval.

A Negro kills a white drunkard who insults him in his own dwelling and gets life. An Italian hunts a Negro, who has offended him, kills him, and is let loose.

Another Negro kills a kindly, quiet doctor, who would not hurt a flea and gets five years suspended sentence. The same Negro, who killed our leading citizen, kills an old, bedridden colored lady and this time he gets life.

As long as these sentences are attempted to be measured by the pattern of justice, we shall be baffled. Lay beside them the yard stick of ignorance and prejudice and the mystery disappears.

But history teaches that two systems of justice cannot be successfully administered to people living side by side in the same community. Soon or late Southerners, who learn slowly, will learn that the cost of injustice in the chambers of justice is loss of justice to all.

Crime - 1936

General.

Atlanta, Ga. Constitution
January 16, 1936

A MISINFORMED JUDGE

It is a pity that the Philadelphia judge who made the statement from his bench that "Georgia and the Carolinas are dumping their criminals on us" was not better informed when he made this unwise and unwarranted utterance.

Instead of Georgia's "dumping" criminals on other sections of the country, it is an established fact that this state is regarded by the criminal gangs from the large northern and eastern centers of population as a Mecca where crimes of all kinds can be perpetrated with but little danger of the perpetrators being arrested.

Every fall and spring a steady flow of big-city criminals and gangsters passes through Georgia on the way to the winter resorts in Florida and along the gulf coast, most of these law-breakers pausing long enough to rob a bank or hold up a postoffice in order to replenish their ready cash resources.

Georgia is not proud that this condition—made possible because of the lack of a state police force—exists, but the fact remains that it does exist, and that instead of the courts and law enforcement bodies of other states complaining because negroes from the south commit minor crimes in their communities, the law-abiding people of the small communities of the south have every right to vigorously protest the major depredations of hardened criminals from these sections.

Such southern negroes who join the criminal classes in northern cities seldom commit major crimes, because they are not educated in the ways of the underworld, while the experienced criminals from gang-ridden centers of the north and east who come to this section equipped with machine guns and high-powered automobiles, raid and loot in a manner that is a direct threat to the public.

The unjustified charge of the Philadelphia jurist is conclusively answered in the statement of Prison Commissioner Stanley that "more criminals come into Georgia from Pennsylvania than any other state," and the comment of Solicitor-General Boykin that "if comparative records could be found, I believe they would show that Georgia pays for the upkeep of more northern criminals on her chain gangs than all Pennsylvania pays to keep southerners in their prisons."

It is to be hoped that the uncalled for remark of the Philadelphia jurist will serve the good purpose of impressing upon the members of the Georgia legislature the necessity for the creation of an efficient and modernly equipped state police force. Not until then will the small communities of the state receive the protection from desperate criminals from the north and east to which they are entitled.

"Out On Parole"

In 1931, a bare five years ago, one Alvin Karpis was arrested in Oklahoma and charged with taking part in a jewel robbery. He had a long police record, a long criminal record. In fact it developed that the robbery for which he was held in Oklahoma was plotted while Karpis was serving a term in the Kansas penitentiary. He was convicted and sentenced to four years, but after three months in jail during and following the trial he was paroled.

The reasons for the parole are not available, but it may safely be presumed that all of the symptoms were present. A shrewd and seasoned criminal, Karpis was not slow to make himself a "model prisoner," and to be sure that he gave prison officials "no trouble." Being a mild-mannered young crook, he no doubt impressed prison and parole officials with his pleasing behavior, and enlisted some sympathy.

Of course, all this mockery disappeared the minute Karpis was paroled. He proceeded to make his parole profitable. He celebrated by brutally murdering a Missouri sheriff, and showed his absolute contempt for law and life during the next four and a half years by a series of robberies and kidnapings which netted him and his gang around $500,000 and resulted in the murder of five, including four policemen. Untold thousands of dollars have been spent by federal, county and city law enforcement agencies in his capture, all of which is charged to the taxpayer and goes to make up the astounding total that the war on crime is costing the people of this country.

How long, the public is forced to ask, will we be compelled to put up with this kind of parole system? There is a place for an intelligently administered system which aims at saving the young and the unfortunate, but wanton killers and robbers are not in this class. If Karpis had been required to serve the four years that the law of Oklahoma first demanded of him, his murderous career would have been postponed at least, and probably suppressed. Snakes in cages seldom bite.

Experts who parade under the name of psychoanalysts may be able to explain to their own satisfaction the criminal tendencies which put Karpis at the top of the infamous list of murders and robberies, but an explanation of how it was possible for him to translate those tendencies into criminal action is to be found in the parole system as it now operates.

One In Every Four

J. Edgar Hoover, chief of the Federal Bureau of Investigation, speaking before the annual convention of the Boys' Clubs of America:

> Practically every special agent killed in the war on crime has died at the hand of a paroled convict. I solemnly protest the fact that of the 13,010 most desperate, most vicious enemies of society listed in our files, 3,734 have been touched with the magic wand of parole or pardon clemency.

If there is a man in the United States who knows what he is talking about it certainly must be agreed that Mr. Hoover is that man. As chief of the G-men he has been a tremendous force in the war on crime, not merely in the tracking to earth of dangerous criminals, but in building up the viewpoint that the seasoned criminal is a menace to society, and that the sentimentalists and convict-indulging theorists are unconsciously thwarting the elimination of the criminal element.

The Commercial Appeal has heretofore had occasion to commend some phases of the parole system. It readily agrees that there is a place in our criminal administration for a helping hand to the unfortunate, the young. Nor is it necessary that the operation be reserved for expert sociologists. A practical, sensible application of sound discretion will achieve the desired results.

But there is also a place for determined, energetic and certain law enforcement. Society has its rights as well as the individual. It is absurd to apply the same rules to a first offender as to the hardened criminal, to the mischievous thief as to the brutal robber and killer.

The extent to which this absurdity has gone is demonstrated by the fact that 150,000 killers are now at large in the United States. No less an authority than the United States attorney at Little Rock declares that 25,000 ex-convicts, most of them paroled convicts, are at large through the grace of the Arkansas parole and pardon system. These figures are enough to arouse law-abiding and law-respecting citizens to action. What further proof is needed of the complete breakdown of the system when Mr. Hoover reports that one out of every four of the nation's most desperate criminals are the beneficiaries of the same misguided theory?

Columbus, Ga. Ledger
November 20, 1936

Baptists Score Crime

State Baptists, in session at Savannah, among other things, called for a continuation of the fight against the depression from which the country has emerged and deplored the increase in crime, lax prison conditions and lynchings.

As we view it, the depression and crime went hand in hand, many being led to commit crimes because of want, but with the period in which millions were reduced to dire circumstances now past history, we believe that much of the crime born of the depression will be eliminated and that the country will eventually eradicate this element of our population.

The fight, however, will be a long and difficult one which will call for education against crime in the homes, teaching of proper respect for all laws, strict enforcement of all measures, operation of prisons with the view to teaching those who run afoul the law to correct their erring ways, and to encourage all to respect the rights of others and to seek the bar of justice when they want to see justice done.

Crime in this country has reached an alarmingly high figure and it must be reduced if the nation is to move forward and retain the respect it has commanded. We have a great nation, but we can very easily destroy the principles upon which it was founded by not adhering to laws and by not enforcing laws we have in effect. If we tolerate the violation of one law, because it is not popular, we naturally invite the violation of other codes and in the end witness a complete breakdown of law.

We can eradicate crime only by demanding a strict enforcement of all laws so long as they remain in the statute books and also by meting out punishment to offenders commeasurate with the crime which has been committed.

"Oh! Hello, Spike! So You Got a Parole Too, Did Ya?"

BOSTON PAPERS PLEASE COPY!

Boston Chronicle
9-18-26

IT IS our desire to commend and thank the **New York Post** for its recent decision as to the use of racial qualifications in reporting a crime story. In accordance with Publisher J. Phillip Stern's fairplay policy towards colored Americans, the paper has ruled that the color or race of an individual must not be mentioned in a crime story unless it is essential. Says

City Editor Saylor: Boston, Mass.

If Negroes and whites, working on the same job, engaged in a fight because of a quarrel due to race, then the fact should be brought out in the story. However, if they engage in a fight due to disagreement of the kind of tools they are to use or because of a political argument, leave race out of the story.

If a criminal escapes and the police ask the newspapers to broadcast a description, then color and race are essentials of the story. If a crime is committed, the prisoner arrested, then I cannot see how public interest is served by dragging in color or race.

We heartily concur with this progressive step and would even urge a general adoption of the ruling to embrace all news stories. It is true that we should lose opportunities to let the world know that some notable achievement had been performed by a colored person, but the greater good would be served by the elimination of racial designations in crime stories. A freer use of pictures by the nation's press would tell the stories for themselves; in both cases the public is entitled to see what a hero or a criminal looks like provided either warrants the publicity.

We pass on the action of the **Post** to our Boston Dailies with the hope that they too will follow suit and join in the great work of uniting the American nation into one people with a common cause. No matter where we or our forbears came from, the fact remains that we are United States citizens, and it is as United States citizens that our press should present us to the world. To the obvious query as to our "Negro" newspapers and their constant employment of racial qualifications, we must plead that that is the result of our being forced on the defensive by the daily press. If our great dailies would weigh stories concerning colored Americans in the same way in which they do those of Irish, German, Jewish, Italian and other American racial elements, we could then settle down to the business of publishing newspapers that would not necessarily have to be classified as "Negro" newspapers. Together we (dailies and so-called "Negro" press) could work wonders in eradicating racial bigotry and intolerance and it would do more to wipe the stain of lynching from our American flag than all the laws that could be enacted in the nation's Congress. Boston papers please copy!

Crime - 1936

General.

Trenton, Tenn. Gazette
December 3, 1936

ABUSE OF THE PAROLE SYSTEM

J. Edgar Hoover, head of the Federal Bureau of Investigation, has issued plea after plea for help in putting an end to the abuse of the parole system. He has consistently explained what it costs the nation for criminals to be turned loose on society, the danger in which such a practice places so many people, the complete loss of taxpayers' money that has been expended in prosecuting these criminals. Despite all this, criminals continue to be given their freedom. And, what happens?

For instance: Three bandits were slain in a holdup at Gary, Indiana, Thanksgiving Eve. They were convicts paroled from the prison at Joliet, and the holdup and slaying came on the heels of Illinois' crusade for prompt and drastic reform of the State's parole system, sponsored by outstanding Chicago newspapers. Numerous other times, innocent people, not convicts on parole, were slain.

Tennessee has had her share of such happenings. Only recently, a Negro convict who terrorized Nashville by a series of burglaries which lasted for over a month, was found to be the same Negro who was sentenced to sixteen years in the penitentiary for a similar series of crimes in 1931 and 1932.

Those responsible for the turning loose of criminals on society should be looked upon for what they are—accessories to the crimes committed by those paroled.

The need for change in our parole system is national.

TRUTH, THE BASIS OF ALL JUSTICE IN OUR COURTS

Evils of Perjury Cannot Be Overstated—Mistaken Testimony—Wilful and Corrupt False Swearing—Odium and Punishment

BY GEORGE H. ETHRIDGE
Presiding Justice of Division B of the Mississippi Supreme Court

ONE who sits on courts of appeal, reviewing the law and evidence in the trial of cases in the court below, trying to read between the lines for the human equation in the trial, and get a firm understanding of the real justice in the case, or the lack of it, is impressed by the great amount of untruth testified to in courts of justice. It is not all deliberate false swearing, much of it being due to faulty habits of observation and inattention to occurrences, and imperfect recollection of what was said and done. It is a principle of law that all testimony of witnesses must be considered together, and that the trier of facts shall, if within reason, reconcile such testimony on the theory that all of the witnesses are honest and trying to tell the truth. If they do not, in fact, tell the truth, and the trier is aware of his, he shall nevertheless try to attribute it to failure to remember or defective observation, or both, and not attribute to any witness the intention to willfully testify falsely. A large part of the contradictions in the testimony of the various witnesses can be explained on this theory. But when this is done, there is still an alarming amount of corrupt and willful false swearing. It is unfortunate for any witness, when called upon, to be unable to tell definitely, clearly and truly, what occurred, or what he saw and heard.

Needs Lawyers of Skill

In many cases so much depends upon accurate testimony, that often serious injustice is done one party or the other because of failure on the part of a witness to recall definitely and exactly what was said or done on the particular occasion. For this reason it is important that lawyers of experience and skill be employed to develop the truth by testing the accuracy of the witness' memory, and his capacity to observe and understand, that the true facts may appear. A lawyer seldom tries to make a witness tell a falsehood, but rather to develop the full truth.

A witness may be ever so honest in intent, and yet tell what is false, or partly false, through failure to observe or remember what he honestly thinks he saw and remembers. Every experienced lawyer has heard conflicts of a vital nature between the evidence of two honest witnesses, who had failed to catch the full import of the facts, and to recollect them accurately. It is unfortunate when this is the case for a false impression is created by the telling of facts in part. When a witness fails to testify in regard to matters exactly as they occurred, or to conversations as they took place, it always causes an adverse opinion in the minds of the public. Another unfortunate result is that it inspires distrust in the work of the court. Men often feel that it is the fault of the court when exact justice is not arrived at.

Too Much Perjury

But making all due allowance for these errors, there is a deplorable amount of perjury. Perjury is not merely swearing falsely, but it is deliberate and corrupt false swearing which constitutes perjury—swearing in a judicial proceeding, and in a few other cases, knowingly and corruptly, to things not only untrue in fact, but which the witness knows to be untrue. Truth is a great virtue in all the affairs of life; but it is a much greater virtue in contests in the courts of the land. It is bad enough for a person to tell a lie under any circumstances, but it is infinitely worse to take an oath solemnly, calling upon the Deity to witness that what is being sworn to is true, and inviting the Divine wrath, as well as the penalty of the law, if it is not.

It is the most solemn proceeding known to the law or to morals.

In morals it may, under some circumstances, be less evil to tell a lie than to commit some other sin; but the law brands perjury with a very high degree of infamy. It has a very hurtful influence, for the sacredness of human rights depends upon the fidelity with which witnesses relate the truth.

Truth to Safeguard Rights

Every right we possess may at some time be brought into jeopardy in the courts, and we are dependent upon the integrity of our fellow beings for the vindication of these rights. A man may toil and save, accumulating something for times of sickness, or for old age or business purposes, and yet be called into court against his will, and have his earnings stripped from him through false testimony. Yea, he may, after living honorably for years, be charged with some crime, brought into court, and convicted wrongfully through the false testimony of some fellow man. Further, it may even go to the extent of taking his life, and branding his name in the annals of the country with the stigma of crime of which he may be innocent. On the other hand, perjury is oftener committed in order to set the law at defiance, and to acquit some guilty person of just punishment. It is by no means limited to criminal cases, but prevails to an alarming extent in all kinds of proceedings. Everyone should cultivate the habit of telling the truth under all circumstances, when it is necessary for him to speak, and should have the integrity and

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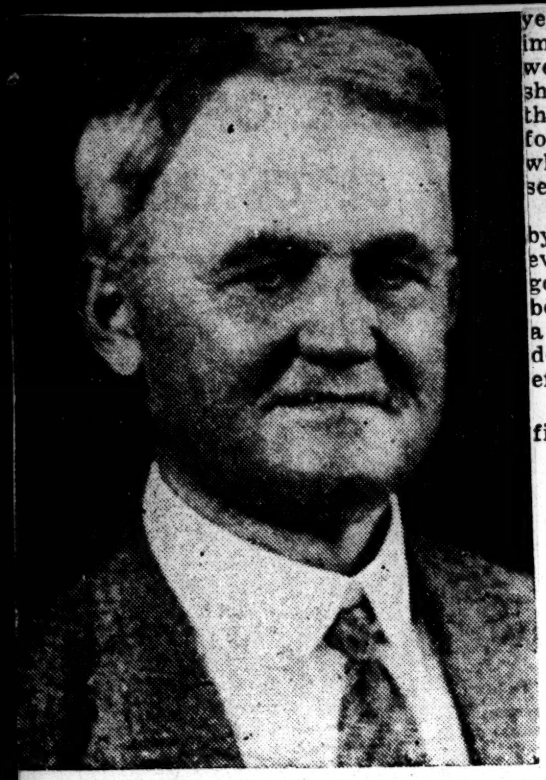

Judge Ethridge

to the odium attached to ordinary felonies, the further infamy of being disqualified from testifying thereafter in courts."

It is true that there must be a conviction in legal and due form before this severe disqualification attaches, but when a person has been convicted he may not thereafter testify in court in any case, although the life of his father, mother, brother or sister, or wife and children, might be at stake.

He could not be produced to give evidence, although his evidence might exculpate them. Perjury is the vilest sin in the code of crime. The Legislature undertook to provide that a pardon for the crime of perjury should not restore the witness to competency. Whether that limitation upon the pardoning power is valid is of no concern here, but it is the deliberate judgment of the people, acting through their elected representatives, that perjury is so disastrous and so unpardonable that one convicted of it can never thereafter be used as a witness.

No Charge Too Severe

Perjury should be characterized and reprobated in every charge to the grand jury; its odium and disqualification and disastrous effects should be taught in every school, denounced in the press and the pulpits of the land. "It should be gibbeted on the skyline of infamy for the execration of the ages."

This severe characterization is not too severe for this infamous evil. It is the thing that makes it possible to have the law thwarted by criminal organizations and crooked politics. If the upright citizens of the state would bend their energies to eradicating it, or reducing it to a mere remnant of what it now is, they would render their country a great service, and gain the gratitude of subsequent generations for benefits which do not exist at present, because the courts are, in a measure, corrupted by perjury.

Truth must be taught at the fireside; it must be taught as a necessity in the schoolroom, in such way that its benefits will be demonstrated to the minds of youths, not yet fully able to reason out its tremendous importance to the welfare of the world. If we would make this government what it should be, what it was designed to be by the founders, we must prepare our children for citizenship in their formative years. We who are in the busy affairs of life should set as good an example as is possible.

No other institution on earth controlled by man is as powerful for either good or evil as is government. It has not been as good as it should be, nor as good as has been possible for us to make it. But it has a powerful effect for either good or evil, depending upon who is in control, and what efforts they make to utilize it.

Truth and honor are qualities that come first.